



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

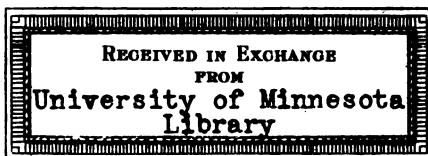
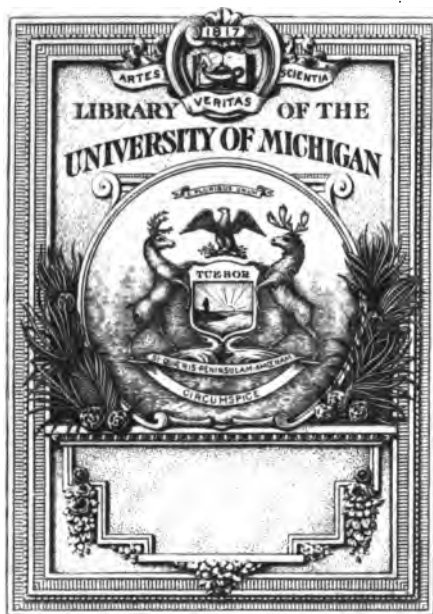
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

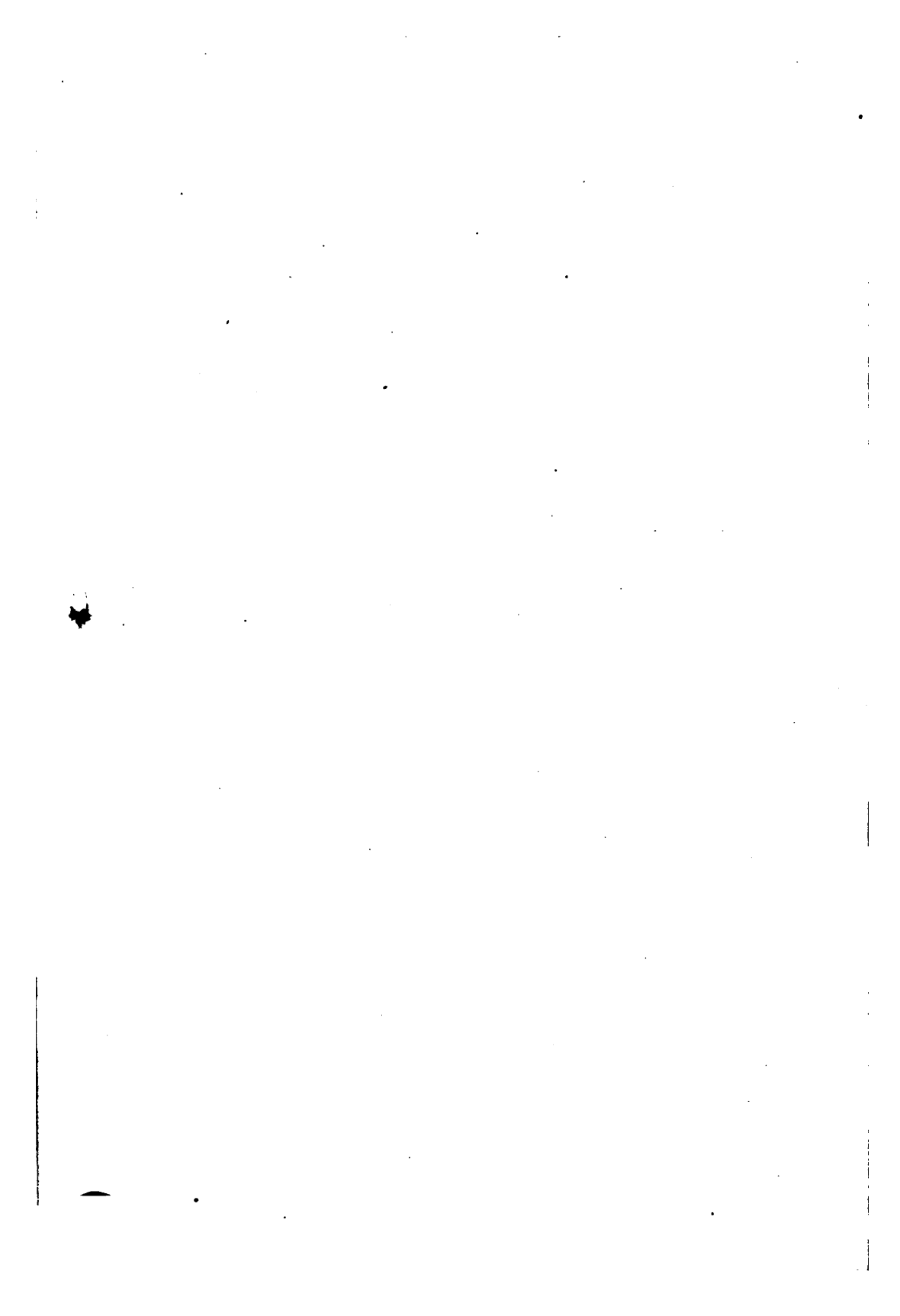
Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



J

87

.076



THE
JOURNAL OF THE SENATE

OF THE

Oregon. LEGISLATIVE ASSEMBLY, *Senate*.

OF THE

STATE OF OREGON

FOR THE

NINETEENTH REGULAR SESSION

1897



SALEM, OREGON
W. H. LEEDS, STATE PRINTER
1898

JAN 27 1938

AUTHORITY FOR PRINTING THIS JOURNAL.

House concurrent resolution No. 14, passed by the twentieth legislative assembly at its special session in September and October, 1898, authorizing the publication of this journal, reads as follows:—

HOUSE CONCURRENT RESOLUTION NO. 14.

Be it resolved by the house, the senate concurring, That the secretary of state be instructed to furnish to the state printer for publication, as required by law, true copies of the records of the proceedings of this legislative assembly as shown by the journals thereof, and the laws, resolutions and memorials passed at this session and the senate journal of the nineteenth legislative assembly, the compensation for such transcripts to be such as is prescribed by law for like services in other cases, and such copies of the laws to be furnished within sixty days from the date of the adjournment of this assembly. The original copies of said laws, journals, resolutions and memorials shall be safely kept on file in the office of the secretary of state, as required by law.

Adopted by the house, October 6, 1898.

E. V. CARTER,
Speaker of the house.

Concurred in by the senate, October 11, 1898.

JOSEPH SIMON,
President of the senate.

OFFICERS OF THE SENATE.

President—Hon. Joseph Simon----Portland, Multnomah county
Chief clerk—S. L. Moorhead-----Junction City, Lane county
Assistant chief clerk—J. A. Wilson-----Albany, Linn county
Calendar clerk—S. R. Mason-----Portland, Multnomah county
Reading clerk—W. M. Rasmus----Portland, Multnomah county
Sergeant-at-arms—C. B. Crosno-----Toledo, Lincoln county
Doorkeeper—J. E. Blundell-----Roseburg, Douglas county
Mailing clerk—H. H. Humphrey-----Salem, Marion county
Page—Fred Hobkirk-----Portland, Multnomah county
Page—F. W. Poorman -----Woodburn, Marion county

MEMBERS OF THE SENATE.

ELECTED IN 1894.

Baker and Malheur — Will R. King.
Benton and Lincoln — Tolbert Carter.
Clackamas — George C. Brownell.
Clackamas and Marion — Alonzo Gesner.
Clatsop — John H. Smith.
Grant, Harney and Morrow — A. W. Gowan.
Jackson — S. H. Holt.
Lane — J. H. McClung.
Linn — S. A. Dawson and A. J. Johnson.
Marion — W. H. Hobson and I. L. Patterson.
Multnomah — Joseph Simon.
Umatilla — A. R. Price.
Yamhill — J. F. Calbreath.

ELECTED IN 1896.

Columbia, Washington and Tillamook — G. W. Patterson.
Coos, Curry and Josephine — C. E. Harmon.
Crook, Klamath and Lake — Bernard Daly.
Douglas — A. W. Reed.
Gilliam, Sherman and Wasco — E. B. Dufur.
Lane — I. D. Driver.
Multnomah — G. W. Bates, J. E. Haseltine, Donald Mackay
and Ben Selling.
Polk — B. F. Mulkey.
Sherman and Wasco — John Michell.
Umatilla and Union — T. C. Taylor.
Union and Wallowa — Justus Wade.
Washington — Samuel Hughes.

SENATE STANDING COMMITTEES.

- Agriculture and forestry*—Johnson, Hughes and Holt.
Assessment and taxation—Hughes, Patterson of Marion, Mulkey, Price and Mackay.
Claims—Selling, Carter and Daly.
Commerce and Navigation—Harmon, Johnson and Dufur.
Counties—Mackay, Gesner, Taylor, Gowan and Driver.
Education—McClung, Harmon and Mulkey.
Elections and privileges—Mulkey, Gesner and Smith.
Engrossed bills—Gesner, Reed and Michell.
Enrolled bills—Calbreath, Patterson of Washington and Gowan.
Federal relations—Bates, Taylor and Dufur.
Fishing industries—Reed, Michell and Patterson of Marion.
Horticulture—Carter, Calbreath and Holt.
Insurance and banking—Bates, Johnson and Driver.
Irrigation—Price, McClung and King.
Judiciary—Gowan, Brownell, Michell, Smith and Dufur.
Revision of laws—Patterson of Washington, McClung, Reed, Hobson and King.
Medicine, pharmacy and dentistry—Calbreath, Driver and Daly.
Military affairs—Price, Haseltine and Gesner.
Penal institutions—Driver, Hobson and Selling.
Mining—Johnson, Holt and King.
Municipal corporations—Haseltine, Harmon and Calbreath.
Printing—Michell, Mackay and Smith.
Public buildings and institutions—Hobson, Patterson of Washington and Wade.
Public lands—Patterson of Marion, Mulkey, Dawson, Haseltine and Wade.
Railroads—Brownell, Gowan, Patterson of Washington, Mackay and Dawson.
Roads and highways—Dawson, Carter, Hobson, Brownell and Daly.
Ways and means—Taylor, McClung, Selling, Hughes and Dawson.

SENATE JOURNAL.

SENATE CHAMBER,
SALEM, Oregon, }
January 11, 1897. }

This being the day designated by law for the convening of the nineteenth biennial session of the legislative assembly of the state of Oregon, the senate was called to order by Hon. I. L. Patterson, senator from Marion county, who placed in nomination for president *pro tem.* Hon. A. W. Gowan of Grant, Harney and Morrow counties.

There being no other nominations, Senator A. W. Gowan was elected president *pro tem.* by acclamation, and he thereupon took the chair.

The next thing in order being the election of officers *pro tem.* of the senate, Senator McClung nominated Mr. S. L. Moorhead of Lane county for chief clerk *pro tem.*

There being no other nominations, Mr. S. L. Moorhead was elected chief clerk *pro tem.* by acclamation.

Senator S. A. Dawson nominated Mr. J. A. Wilson of Linn county for assistant chief clerk *pro tem.*

There being no further nominations, Mr. J. A. Wilson was elected assistant chief clerk *pro tem.* by acclamation.

Senator Donald Mackay nominated Mr. S. R. Mason of Multnomah county for calendar clerk *pro tem.*

There being no other nominations, Mr. S. R. Mason was elected calendar clerk *pro tem.* by acclamation.

Senator J. E. Haseltine nominated Mr. William M. Rasmus of Multnomah county for reading clerk *pro tem.*

There being no other nominations, Mr. William M. Rasmus was elected reading clerk *pro tem.* by acclamation.

Senator J. F. Calbreath nominated Mr. C. B. Crosno of Lincoln county for sergeant-at-arms *pro tem.*

There being no other nominations, Mr. C. B. Crosno was elected sergeant at arms *pro tem.* by acclamation.

Senator A. W. Reed nominated Mr. J. E. Blundell of Douglas county for doorkeeper *pro tem.*

There being no other nominations, Mr. J. E. Blundell was elected doorkeeper *pro tem.* by acclamation.

Senator Patterson nominated Mr. H. H. Humphrey of Marion county for mailing clerk *pro tem*.

There being no other nominations, Mr. H. H. Humphrey was elected mailing clerk *pro tem*. by acclamation.

On motion of Senator Selling, the president *pro tem*. was instructed to appoint a committee of five on credentials.

The president *pro tem*. appointed as the committee on credentials Senators Selling of Multnomah, chairman, J. H. McClung of Lane, G. W. Patterson of Washington, Will R. King of Baker and Malheur, and E. B. Dufur of Gilliam, Sherman and Wasco.

On motion of Senator Simon of Multnomah, the senate adjourned until 2 o'clock p. m.

S. L. MOORHEAD,
Chief clerk *pro tem*.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 11, 1897. }

The senate was called to order at 2 o'clock p. m. by the president *pro tem*.

The committee on credentials submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 11, 1897. }

Mr. President:

We, your committee on credentials, find by the records of the regular session of 1895 that the following persons are entitled to seats in this body, to wit:—

Geo. C. Brownell, Clackamas county.

J. F. Calbreath, Yamhill county.

Tolbert Carter, Benton and Lincoln counties.

S. A. Dawson, Linn county.

A. J. Johnson, Linn county.

Alonzo Gesner, Marion and Clackamas counties.

A. W. Gowan, Morrow, Grant and Harney counties.

W. H. Hobson, Marion county.

I. L. Patterson, Marion county.

S. H. Holt, Jackson county.

Will R. King, Baker and Malheur counties.

J. H. McClung, Lane county.

A. R. Price, Umatilla county.

Joseph Simon, Multnomah county.

John H. Smith, Clatsop county.

We further find from certificates presented that the following persons were elected in 1896, and are entitled to seats in the body, to wit:—

G. W. Patterson, Columbia, Washington and Tillamook counties.

C. E. Harmon, Coos, Curry and Josephine counties.

Bernard Daly, Crook, Klamath and Lake counties.

A. W. Reed, Douglas county.

E. B. Dufur, Gilliam, Sherman and Wasco counties.

I. D. Driver, Lane county.

Geo. W. Bates, Multnomah county.

J. E. Haseltine, Multnomah county.

Donald Mackay, Multnomah county.

Ben Selling, Multnomah county.

B. F. Mulkey, Polk county.

John Michell, Sherman and Wasco counties.

T. C. Taylor, Umatilla and Union counties.

Justus Wade, Union and Wallowa counties.

Samuel Hughes, Washington county.

Respectfully submitted,

BEN SELLING,
Chairman.

On motion of Senator McClung, the report was adopted.

On motion of Senator Simon, the chief justice of the supreme court of the state of Oregon was requested to administer the oath of office to the newly elected members of the senate, and a committee of three be appointed. The president *pro tem.* appointed Senators Simon, Michell and Smith to wait upon the chief justice and ascertain his pleasure.

The committee retired, and soon thereafter appeared, accompanied by Hon. F. A. Moore, chief justice of the supreme court of the state of Oregon, who administered the oath of office to the members-elect, and a copy of said oath was by each member duly subscribed.

On motion of Senator Calbreath, the courtesies of the senate were extended to Hon. F. A. Bancroft, and he was invited to a seat within the bar.

Senator Patterson of Marion introduced senate resolution No. 1.

SENATE RESOLUTION NO. 1.

Resolved, That the senate now proceed to permanent organization by electing—

First—President of the senate.

Second — Chief clerk.

Third — An assistant clerk.

Fourth — Calendar clerk.

Fifth — Reading clerk.

Sixth — Sergeant-at-arms.

Seventh — Doorkeeper.

Eighth — Mailing clerk.

On motion of Senator Patterson of Marion, the resolution was adopted.

The first order of business being the election of president of the senate Senator Patterson of Marion, placed in nomination the name of Hon. Joseph Simon of Multnomah county.

Senator Holt placed in nomination Hon. Will R. King of Baker and Malheur counties.

Senator Dufur placed in nomination Hon. J. H. Smith of Clatsop county.

There being no further nominations, the roll was called.

Those voting for Hon. Joseph Simon were: Senators Bates, Brownell, Calbreath, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling and Taylor — 22.

Those voting for Hon. J. H. Smith were: Senators Daly, Dufur and King — 3.

Those voting for Hon. Will R. King were: Senators Holt, Smith and Wade — 3.

Absent — Senator Carter — 1.

Senator Simon voted blank.

Hon. Joseph Simon, having received a majority of all the votes cast, was declared duly elected president of the nineteenth biennial session of the senate of the state of Oregon.

Senator Brownell moved that a committee of two be appointed to conduct the president-elect to the chair.

The motion prevailed.

The chair appointed as such committee Senators Brownell and King, and the committee duly conducted the president-elect to the chair.

Hon. F. A. Moore, chief justice of the supreme court, appeared within the bar of the senate and administered the oath of office to the president-elect, who duly subscribed his name thereto.

The election of chief clerk being the next order of business, Senator McClung placed in nomination the name of Mr. S. L. Moorhead of Lane county.

There being no further nominations, the roll was called.

Those voting for Mr. Moorhead were: Senators Bates, Brownell, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon,

Haseltine, Hobson, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President—26.

Not voting—Senators Holt, King and Wade—3.

Absent—Senator Carter—1.

Mr. Moorhead, having received a majority of all the votes cast, was declared elected chief clerk.

The next order of business being the election of assistant chief clerk, Senator Dawson placed in nomination Mr. J. A. Wilson of Linn county.

There being no further nominations, the roll was called.

Those voting for Mr. Wilson were: Senators Bates, Brownell, Calbreath, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President—26.

Not voting—Senators Daly, Holt and Wade—3.

Absent—Senator Carter—1.

Mr. Wilson, having received a majority of all the votes cast, was declared elected assistant chief clerk.

The next in order being the election of calendar clerk, Senator Mackay placed in nomination Mr. S. R. Mason of Multnomah county.

There being no further nominations, the roll was called.

Those voting for Mr. Mason were: Senators Bates, Brownell, Calbreath, Carter, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President—25.

Not voting—Senators Daly, Holt, King and Wade—4.

Absent—Senator Carter—1.

Mr. Mason, having received a majority of all the votes cast, was declared duly elected calendar clerk.

The next order being the election of reading clerk, Senator Haseltine placed in nomination Mr. William M. Rasmus of Multnomah county.

There being no further nominations, the roll was called.

Those voting for Mr. Rasmus were: Senators Bates, Brownell, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President—27.

Not voting—Senators Holt and Wade—2.

Absent—Senator Carter—1.

Mr. Rasmus, having received a majority of all the votes cast, was declared duly elected reading clerk.

The next in order being the election of sergeant-at-arms, Senator Calbreath placed in nomination Mr. C. B. Crosno of Lincoln county.

There being no further nominations, the roll was called.

Those voting for Mr. Crosno were: Senators Bates, Brownell, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President — 27.

Not voting — Senators Holt and Wade — 2.

Absent — Senator Carter — 1.

Mr. Crosno, having received a majority of all the votes cast, was declared duly elected sergeant-at-arms.

The next in order being the election of doorkeeper, Senator Reed placed in nomination Mr. J. E. Blundell of Douglas county.

There being no further nominations, the roll was called.

Those voting for Mr. Blundell were: Senators Bates, Brownell, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President — 26.

Not voting — Senators Holt, King and Smith — 3.

Absent — Senator Carter — 1.

Mr. Blundell, having received a majority of all the votes cast, was declared duly elected doorkeeper.

The next in order being the election of mailing clerk, Senator Gesner placed in nomination Mr. H. H. Humphrey of Marion county.

Senator Holt placed in nomination Mr. David F. Warner.

There being no further nominations, the roll was called.

Those voting for Mr. Humphrey were: Senators Bates, Brownell, Calbreath, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor and Mr. President — 23.

Those voting for Mr. Warner were: Senators Daly, Dufur, Holt, King, Smith and Wade — 6.

Absent — Senator Carter — 1.

Mr. Humphrey, having received a majority of all the votes cast, was declared duly elected mailing clerk.

Hon. F. A. Moore, chief justice of the supreme court of the state of Oregon, appearing within the bar of the senate, administered the oath of office to the officers-elect, who each duly subscribed his name thereto.

On motion of Senator Brownell, the president was instructed to appoint two pages.

The president thereupon appointed Mr. Fred Hobkirk of Multnomah county and Mr. F. W. Poorman of Marion county.

On motion of Senator Gowan, the president was instructed to appoint a committee of five to apportion clerks to the several committees, and fix the compensation of said clerks.

The president thereupon appointed Senators Gowan, Brownell, Dawson, McClung and Michell.

Senator Johnson introduced senate resolution No. 2.

SENATE RESOLUTION NO. 2.

Resolved, That until changed, the rules of the last regular session be adopted as the rules of this session, and that a committee be appointed to revise said rules. That such committee consist of the presiding officer of the senate, who shall be chairman, and two members appointed by him.

On motion of Senator Johnson, the resolution was adopted.

Senator McClung introduced senate resolution No. 3.

SENATE RESOLUTION NO. 3.

Resolved, That the secretary of state is requested to furnish each member of the senate with a copy of the second edition of Hill's annotated code of Oregon, and the senate and house journals, and the session laws of the last regular session of the legislative assembly of the state of Oregon.

On motion of Senator McClung, the resolution was adopted.

Senator Brownell introduced senate resolution No. 4.

SENATE RESOLUTION NO. 4.

Resolved by the senate, That the sargeant-at-arms be authorized to appoint an assistant doorkeeper to assist him in the discharge of his duties.

Senators McClung and Johnson called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Dawson, Driver, Gesner, Gowan, Harmon, Hobson, King, Mackay, Mulkey, Reed and Mr. President—12.

Nays—Senators Bates, Calbreath, Daly, Dufur, Haseltine, Holt, Hughes, Johnson, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor and Wade—17.

Absent—Senator Carter—1.

So the motion was lost.

Senator Gowan introduced senate concurrent resolution No. 1.

SENATE CONCURRENT RESOLUTION NO. 1.

Resolved by the senate, the house concurring, That a committee consisting of two on the part of the senate and three on the part of the house be appointed to examine the books and accounts of the state treasurer, with power to employ the necessary clerical aid.

Senator McClung moved to amend to limit time to ten days. The amendment was lost.

On motion of Senator Gowan, the resolution was adopted.

Senator Harmon introduced senate concurrent resolution No. 2.

SENATE CONCURRENT RESOLUTION NO. 2.

Resolved by the senate, the house concurring, That a committee of two on the part of the senate and three on the part of the house be appointed to examine the affairs of the penitentiary, with authority to employ such clerical aid as is required at a compensation for such clerks not to exceed \$5.00 per day.

Amended to fix compensation of clerks at \$3.00 per day.

The amendment was adopted.

On motion of Senator Harmon, the resolution as amended was adopted.

Senator Gesner introduced senate concurrent resolution No. 3.

SENATE CONCURRENT RESOLUTION NO. 3.

Resolved by the senate, the house concurring, That a committee, consisting of two on the part of the senate and three on the part of the house, be appointed to examine the books and accounts of the board of commissioners for the sale of school and university lands, with power to employ the necessary clerical aid at a salary not to exceed \$3 per day.

On motion of Senator Gesner, the resolution was adopted.

Senator Mulkey introduced senate concurrent resolution No. 4.

SENATE CONCURRENT RESOLUTION NO. 4.

Resolved by the senate, the house concurring, That a committee, consisting of two on the part of the senate and three on the part of the house, be appointed by the president to examine the books and accounts of the secretary of state with power to appoint the necessary clerical aid at a compensation not to exceed \$3 per day.

On motion of Senator Mulkey, the resolution was adopted.

Senator Price introduced senate resolution No. 5.

SENATE RESOLUTION NO. 5.

Resolved, That the morning session of this senate be opened with prayer by the members of the ministerial association of this city, and they arrange dates to suit their convenience.

On motion of Senator Price, the resolution was adopted.

Senator McClung introduced senate concurrent resolution No. 5.

SENATE CONCURRENT RESOLUTION NO. 5.

Resolved, That a committee of two on the part of the senate and three on the part of the house be appointed to visit and examine into the condition and management of the state insane asylum and make report of the same — committee to employ the necessary clerical aid at \$3 per day.

On motion of Senator McClung, the resolution was adopted.

Senator Calbreath introduced senate concurrent resolution No. 6.

SENATE CONCURRENT RESOLUTION NO. 6.

Resolved by the senate, the house concurring, That a committee, consisting of two on the part of the senate and three on the part of the house, be appointed to investigate the management of the soldiers' home at Roseburg; that said committee be empowered to send for persons and papers and to employ the necessary clerical assistance, and that compensation be limited to \$3 per day.

On motion of Senator Calbreath, the resolution was adopted.

Senator Mulkey introduced senate concurrent resolution No. 7.

SENATE CONCURRENT RESOLUTION NO. 7.

Resolved by the senate, the house concurring, That a committee of two on the part of the senate and three on the part of the house be appointed to visit the state university at Eugene and report the condition of the school and its needs, if any, for its greater efficiency; that said committee have authority to employ one clerk at a salary of \$3 per day.

Senator King moved to amend by striking out provision for clerk.

The amendment was adopted.

On motion of Senator Mulkey, the resolution as amended was adopted.

Senator Driver introduced senate concurrent resolution No. 8.

SENATE CONCURRENT RESOLUTION NO. 8.

Resolved, That a committee of two on the part of the senate and three on the part of the house be appointed to examine into the

management of the reform school and report the same to this session of the legislature.

On motion of Senator Driver, the resolution was adopted.

On motion of Senator Mackay, the senate adjourned until 10 o'clock a. m. tomorrow.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, JANUARY 12, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 12, 1897. }

The senate was called to order at 10 o'clock a. m. by the president, pursuant to adjournment.

The roll of the senate was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

The journal of yesterday's proceedings was read and approved.

On motion of Senator Dawson, the courtesies of the senate were extended to Hon. A. G. Hovey of Lane county, and he was invited to a seat within the bar.

The president announced the standing committees as follows:—

STANDING COMMITTEES.

Agriculture and forestry—Johnson, Hughes and Holt.

Assessment and taxation—Hughes, Patterson of Marion, Mulkey, Price and Mackay.

Claims—Selling, Carter and Daly.

Commerce and navigation—Harmon, Johnson and Dufur.

Counties—Mackay, Gesner, Taylor, Gowan and Driver.

Education—McClung, Harmon and Mulkey.

Elections and privileges—Mulkey, Gesner and Smith.

Engrossed Bills—Gesner, Reed and Michell.

Enrolled bills—Calbreath, Patterson of Washington and Gowan.

Federal relations—Bates, Taylor and Dufur.

Fishing industries—Reed, Michell and Patterson of Marion.

Horticulture—Carter, Calbreath and Holt.

Insurance and banking—Bates, Johnson and Driver.

Irrigation—Price, McClung and King.

Judiciary—Gowan, Brownell, Michell, Smith and Dufur.

Revision of laws—Patterson of Washington, McClung, Reed, Hobson and King.

Medicine, pharmacy and dentistry—Calbreath, Driver and Daly.

Military affairs—Price, Haseltine and Gesuer.

Penal institutions—Driver, Hobson and Selling.

Mining—Johnson, Holt and King.

Municipal corporations—Haseltine, Harmon and Calbreath.

Printing—Michell, Mackay and Smith.

Public buildings and institutions—Hobson, Patterson of Washington and Wade.

Public lands—Patterson of Marion, Mulkey, Dawson, Haseltine and Wade.

Railroads—Brownell, Gowan, Patterson of Washington, Mackay and Dawson.

Roads and highways—Dawson, Carter, Hobson, Brownell and Daly.

Ways and means—Taylor, McClung, Selling, Hughes and Dawson.

Senator Mackay introduced senate concurrent resolution No. 9.

SENATE CONCURRENT RESOLUTION NO. 9.

Resolved by the senate, the house concurring, That the senate and house standing committees on printing be and the same are hereby constituted a joint committee on printing to investigate the manner in which the printing for the state has been done during the past two years; and the said joint committee is hereby directed to secure the services of two expert, practical printers of recognized standing and experience and the customary number of clerical assistants to aid the committee in performing the duties required by this resolution. And the said joint committee is hereby required, in addition to the above, to report to this legislature the amount of printing done by the state printer for each of the departments during the past two years, the cost of printing the session laws, senate and house journals, senate and house bills, and special compilations of laws.

Resolved, further, That the said joint committee shall report to this legislature whatever else in its judgment will be of information to this body, and make such recommendations and introduce such bills, as to the public printing, as it may deem beneficial to the taxpayers of the state.

On motion of Senator Mackay, the resolution was adopted.

Senator Reed introduced senate concurrent resolution No. 10.

SENATE CONCURRENT RESOLUTION NO. 10.

Resolved by the senate, the house concurring, That a joint committee, consisting of two members of the senate and three members of the house, be appointed by the president of the senate and the speaker of the house respectively for the purpose of meeting a similar committee from the legislature of the state of Washington, to consult upon the joint interests of the two states and endeavor to devise some plans for the harmonizing of the laws of the two states relative to that important industry—the fishing interests of the Columbia river.

On motion of Senator Reed, the resolution was adopted.

SENATE RESOLUTION NO. 6.

Resolved, That the secretary of state is hereby requested to furnish the sergeant-at-arms of this senate with five dollars' worth of postage stamps and one dollar's worth of stamped paper wrappers for each senator and officer of the senate, and upon receipt of the same the sergeant-at-arms is directed to distribute the same.

On motion of Senator McClung, the resolution was adopted.

Senator Harmon introduced senate concurrent resolution No. 11.

SENATE CONCURRENT RESOLUTION NO. 11.

Resolved, That a committee of two on the part of the senate and three on the part of the house be appointed to visit the agricultural college at Corvallis and to report as to its management and efficiency.

On motion of Senator Harmon, the resolution was adopted.

Senator Gowan introduced senate resolution No. 7.

SENATE RESOLUTION NO. 7.

Resolved by the senate, That the janitor of this chamber is instructed to regulate the temperature thereof so that during the session the temperature will not be above 70° or less than 60° Fahrenheit.

On motion of Senator Gowan, the resolution was adopted.

Senate bill No. 1. Senator Johnson. A bill for an act to repeal an act entitled "An act to provide a state board of equalization."

Senate bill No. 1 was read first time and passed to second reading without question.

Senate bill No. 2. Senator Daly. A bill for an act to repeal an act entitled "An act to create and establish a board of railroad commissioners."

Senator Daly moved that the rules be suspended and that senate bill No. 2 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

So the rules were suspended and senate bill No. 2 was read first time by title only and passed to second reading.

Senate bill No. 3. Senator Brownell. A bill for an act to repeal an act entitled "An act to increase the duties of the railroad commissioners."

Senate bill No. 3 was read first time and passed to second reading without question.

Senate bill No. 4. Senator Price. A bill for an act to amend section 2826, relating to collection of taxes.

Senator Price moved that the rules be suspended and that senate bill No. 4 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators, Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

So the rules were suspended and senate bill No. 4 was read first time by title only and passed to second reading.

Senate bill No 5. Senator McClung. A bill for an act to define the terms land and real property.

Senate bill No. 5 was read first time and passed to second reading without question.

Senate bill No. 6. Senator Dawson. A bill for an act to amend section 2794 of the general laws of Oregon, as compiled by W. Lair Hill.

Senate bill No. 6 was read first time and passed to second reading without question.

Senate bill No. 7. Senator Smith. A bill for an act to amend section 149 of title XV of chapter I of the general laws of Oregon.

Senate bill No. 7 was read first time and passed to second reading without question.

Senate bill No. 8. Senator Mackay. A bill for an act regulating pilotage on the Columbia and Willamette rivers.

Senator Mackay moved that the rules be suspended and that senate bill No. 8 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

So the rules were suspended and senate bill No. 8 was read first time by title only and passed to second reading.

Senate bill No. 9. Senator Price. A bill for an act to secure a more convenient mode of making assessments, collecting, etc.

Senate bill No. 9 was read first time and passed to second reading without question.

Senate bill No. 10. Senator Harmon. A bill for an act to provide for the registration of electors, regulating and conducting elections, etc.

Senator Harmon moved that the rules be suspended and that senate bill No. 10 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Absent—Senators Calbreath and Patterson of Marion—2.

So the rules were suspended and senate bill No. 10 was read first time by title only and passed to second reading.

Senate bill No. 11. Senator McClung. A bill for an act to amend section 3587, Hill's annotated laws, changing legal rate of interest.

Senate bill No. 11 was read first time and passed to second reading without question.

Senate bill No. 12. Senator King. A bill for an act to incorporate Baker City, in Baker county, Oregon.

Senator King moved that the rules be suspended and that senate bill No. 12 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Patterson of Washington—1.

So the rules were suspended and senate bill No. 12 was read first time by title only and passed to second reading.

Senate bill No. 13. Senator Selling. A bill for an act to fix compensation of district attorney of fourth judicial district.

Senator Selling moved that the rules be suspended and that senate bill No. 13 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator King—1.

So the rules were suspended, and senate bill No. 13 was read first time by title only and passed to second reading.

Senate bill No. 14. Senator Brownell. A bill for an act to amend sections 3587 and 3591 of Hill's annotated laws of Oregon.

Senate bill No. 14 was read first time and passed to second reading without question.

Senate bill No. 15. Senator Daly. A bill for an act to amend an act relating to the assessment of property and the collection of taxes.

Senator Daly moved that the rules be suspended and that senate bill No. 15 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and senate bill No. 15 was read first time by title only and passed to second reading.

Senate bill No. 16. Senator Dawson. A bill for an act to amend section 2813 of Hill's annotated laws of Oregon.

Senate bill No. 16 was read first time and passed to second reading without question.

Senate bill No. 17. Senator Mackay. A bill for an act to qualify Oregon corporations for appointment of guardian, etc.

Senate bill No. 17 was read first time and passed to second reading without question.

Senate bill No. 18. Senator Price. A bill for an act to create lien on crops.

Senate bill No. 18 was read first time and passed to second reading without question.

Senate bill No. 19. Senator McClung. A bill for an act to define qualification of voters in school districts.

Senate bill No. 19 was read first time and passed to second reading without question.

Senate bill No. 20. Senator Smith. A bill for an act for the protection of persons purchasing materials, and labor for the construction of public works.

Senate bill No. 20 was read first time and passed to second reading without question.

Senate bill No. 21. Senator Patterson of Washington. A bill for an act to provide for organization of county board of health.

Senator Patterson of Washington moved that the rules be suspended and that senate bill No. 21 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and senate bill No. 21 was read first time by title only and passed to second reading.

On motion of Senator Brownell, two hundred copies of list of standing committees were ordered printed.

On motion of Senator Gowan, the usual courtesies of the senate were extended to ex-Senator Maxwell, and he was invited to a seat within the bar.

On motion of Senator Mackay, the senate adjourned until 2 o'clock p. m.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 12, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

Senate bill No. 22. Senator Taylor. A bill for an act to incorporate the city of Pendleton.

Senator Taylor moved that the rules be suspended and that senate bill No. 22 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Dawson, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—22.

Nays—None.

Absent—Senators Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner and Gowan—8.

So the rules were suspended, and senate bill No. 22 was read first time by title only and passed to second reading.

Senate bill No. 23. Senator Mackay. A bill for an act to amend section 2890 of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 23 was read first time and passed to second reading without question.

Senate bill No. 24. Senator Price. A bill for an act to amend sections 1145 (1113) of title VI of chapter XV of Hill's annotated laws of Oregon, relating to executors and administrators of deceased persons.

Senator Price moved that the rules be suspended and that senate bill No. 24 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Carter, Gowan and King—3.

So the rules were suspended and senate bill No. 24 was read first time by title only and passed to second reading.

Senate bill No. 25. Senator Gesner. A bill for an act to provide for the selection, management and sale of all state lands.

Senator Gesner moved that the rules be suspended and that senate bill No. 25 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes,

Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Calbreath and Price—2.

So the rules were suspended and senate bill No. 25 was read first time by title only and passed to second reading.

Senate bill No. 26. Senator Mulkey. A bill for an act to provide for the assessment and collection of taxes.

Senator Mulkey moved that the rules be suspended and that senate bill No. 26 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Price—1.

So the rules were suspended and senate bill No. 26 was read first time by title only and passed to second reading.

Senate bill No. 27. Senator Holt. A bill for an act to provide for the temporary relief of counties in certain cases.

Senator Holt moved that the rules be suspended and that senate bill No. 27 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Absent—Senator Price—1.

So the rules were suspended and senate bill No. 27 was read first time by title only and passed to second reading.

Senate bill No. 28. Senator Brownell. A bill for an act to amend section 55 of title V of chapter I of Hill's annotated laws of Oregon.

Senate bill No. 28 was read first time and passed to second reading without question.

Senate bill No. 29. Senator Smith. A bill for an act dedicating the interest of the state of Oregon in the ocean beach from the south shore of the Columbia river to the south line of Clatsop county to the public as a highway.

Senate bill No. 29 was read first time and passed to second reading without question.

Senate bill No. 30. Senator Dawson. A bill for an act to provide for the deduction of indebtedness from assessment.

Senate bill No. 30 was read first time and passed to second reading without question.

Senate bill No. 31. Senator King. A bill for an act to amend section 73 of chapter I of title IX of Hill's laws of Oregon.

Senate bill No. 31 was read first time and passed to second reading without question.

Senate bill No. 32. Senator McClung. A bill for an act to regulate and fix the compensation of the district attorney of the second judicial district, and for deputies in the several counties.

Senate bill No. 52 was read first time and passed to second reading without question.

Senate bill No. 33. Senator Harmon. A bill for an act to amend section 533 of title IV of chapter VI of Hill's annotated laws of Oregon, relating to appeals in civil actions.

Senate bill No. 33 was read first time and passed to second reading without question.

Senate bill No. 34. Senator Daly (by request). A bill for an act to cure defects in judicial sales of real property, and sales of land by executors, administrators and guardians.

Senator Daly moved that the rules be suspended and that senate bill No. 34 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Calbreath, Mackay and Price—3.

So the rules were suspended and senate bill No. 34 was read first time by title only and passed to second reading.

Senate bill No. 34. Senator Patterson of Marion. A bill for an act to change in part compensation and mode of payment of county clerks, etc.

Senator Patterson of Marion moved that the rules be suspended and that senate bill No. 35 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Pat-

tersen of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Price—1.

So the rules were suspended and senate bill No. 35 was read first time by title only and passed to second reading.

Senate bill No. 36. Senator McClung. A bill for an act to abolish private seals.

Senate bill No. 36 was read first time and passed to second reading without question.

On motion of Senator Gesner, the senate adjourned until 10 o'clock tomorrow.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, JANUARY 13, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 13, 1897. }

The senate was called to order at 10 o'clock a. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. Mr. Grannis of Salem.

On motion of Senator Price, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 37. Senator Patterson of Marion. A bill for an act to provide for transportation of insane to the asylum.

Senate bill No. 37 was read first time and passed to second reading without question.

Senate bill No. 38. Senator Mackay. A bill for an act to establish in the city of New York a fiscal agency of the state of Oregon, etc.

Senator Mackay moved that the rules be suspended and that senate bill No. 38 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Michell, Mulkey, Patter-

son of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President—28.

Nays—None.

Absent—Senators Johnson and Wade—2.

So the rules were suspended and senate bill No. 38 was read first time by title only and passed to second reading.

Senate bill No. 39. Senator Harmon. A bill for an act to regulate the conveyance of persons committed to state institutions, etc.

Senate bill No. 39 was read first time and passed to second reading without question.

Senate bill No. 40. Senator Haseltine (by request). A bill for an act to amend the charter of the city of Portland.

Senator Haseltine moved that the rules be suspended and that senate bill No. 40 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Johnson.

So the rules were suspended and senate bill No. 40 was read first time by title only and passed to second reading.

Senate bill No. 41. Senator McClung. A bill for an act to authorize mayors of municipal corporations to bid in property sold for taxes.

Senate bill No. 41 was read first time and passed to second reading without question.

Senate bill No. 42. Senator Dufur. A bill for an act to amend section 2334 of chapter X of the miscellaneous laws of Oregon, etc.

Senate bill No. 42 was read first time and passed to second reading without question.

Senate bill No. 43. Senator Bates. A bill for an act to incorporate the city of Portland.

Senator Bates moved that the rules be suspended and that senate bill No. 43 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Michell, Mulkey, Patterson of

Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Johnson — 1.

So the rules were suspended and senate bill No. 43 was read first time by title only and passed to second reading.

Senate bill No. 44. Senator Michell. A bill for an act to provide for the construction of a portage railway between The Dalles and Celilo, Oregon.

Senator Michell moved that the rules be suspended and that senate bill No. 44 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Johnson — 1.

So the rules were suspended and senate bill No. 44 was read first time by title only and passed to second reading.

Senate bill No. 45. Senator Driver (by request). A bill for an act to provide for election of district attorneys, etc.

Senator Driver moved that the rules be suspended and that senate bill No. 45 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Johnson — 1.

So the rules were suspended and senate bill No. 45 was read first time by title only and passed to second reading.

Senate bill No. 46. Senator Brownell. A bill for an act relating to the free transportation of baggage of persons, etc.

Senator Brownell moved that the rules be suspended and that senate bill No. 46 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Michell, Mulkey, Patterson of

Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Johnson—1.

So the rules were suspended, and senate bill No. 46 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Patterson of Washington introduced senate resolution No. 8.

SENATE RESOLUTION NO. 8.

Resolved, That the sergeant-at-arms be authorized and instructed to furnish three newspapers to each senator and deposit the same on the respective desks of the senators each day during the session.

On motion of Senator Patterson of Washington, the resolution was adopted.

Senate bill No. 47. Senator Dawson. A bill for an act providing for the election of road supervisors, etc.

Senator Dawson moved that the rules be suspended and that senate bill No. 47 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Johnson—1.

So the rules were suspended and senate bill No. 47 was read first time by title only and passed to second reading.

Senate bill No. 48. Senator Smith. A bill for an act authorizing counties, municipal corporations and school districts to dispose of real estate, etc.

Senate bill No. 48 was read first time and passed to second reading without question.

Senate bill No. 49. Senator Haseltine. A bill for an act to secure a more convenient mode of assessment, collecting and paying taxes.

Senate bill No. 49 was read first time and passed to second reading without question.

Senate bill No. 50. Senator Haseltine. A bill for an act to amend section 2813, providing when and in what money taxes shall be paid to the state treasurer by counties.

Senate bill No. 50 was read first time and passed to second reading without question.

Senate bill No. 51. Senator Brownell (by request). A bill for an act requiring all road taxes to be collected in money, etc.

Senator Brownell moved that the rules be suspended and that senate bill No. 51 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dufur, Michell and Johnson—3.

So the rules were suspended and senate bill No. 5 was read first time by title only and passed to second reading.

Senate bill No. 52. Senator Mulkey. A bill for an act to create the office of recorder of conveyances for Polk county.

Senate bill No. 51 was read first time and passed to second reading without question.

The president announced the following committee on revision of rules provided for by senate resolution No. 2: President Simon, Senators Johnson and Michell.

On motion of Senator Calbreath the senate adjourned, until 2 o'clock p. m.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 13, 1897. }

The senate was called to order at 2 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present.

Senate bill No. 53. Senator Hughes. A bill for an act to prevent the production and sale of unwholesome food and medicines, etc.

Senator Hughes moved that the rules be suspended and that senate bill No. 53 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Gesner, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Taylor and Mr. President—25.

Absent — Senators Dufur, Gowan, Reed and Smith — 5.

So the rules were suspended and senate bill No. 53 was read first time by title only and passed to second reading.

Senate bill No. 54. Senator Dufur. A bill for an act to amend paragraph 2 of section 296 of Hill's annotated laws of Oregon.

Senator Dufur moved that the rules be suspended and that senate bill No. 54 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Taylor and Mr. President — 26.

Nays — None.

Absent — Senators Driver, Reed and Smith — 4.

So the rules were suspended and senate bill No. 54 was read first time by title only and passed to second reading.

Senate bill No. 55. Senator Michell. A bill for an act empowering county courts to levy taxes to create funds for a bounty for coyote scalps.

Senator Michell moved that the rules be suspended and that senate bill No. 55 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Carter, Daly, Dawson, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Calbreath, Driver and Reed — 3.

So the rules were suspended and senate bill No. 55 was read first time by title only and passed to second reading.

Senate bill No. 56. Senator Price. A bill for an act to encourage the use of broad tire wagons.

Senate bill No. 56 was read first time and passed to second reading without question.

Unanimous consent being given, Senator King introduced senate joint memorial No. 1.

SENATE JOINT MEMORIAL NO. 1.

To the senate and house of representatives of the United States of America in congress assembled:

Your memorialists, the legislative assembly of the state of Oregon, most respectfully represents —

Whereas, it is a primary principle of the people of the United States "that all men are created equal; that they are endowed by their creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness";

Whereas, the principles, history and traditions of the people of the United States are favorable to the advancement of civil and political liberty everywhere, as evidenced by the Bartholdi statue guarding the entrance of New York harbor, a free gift from a free government, which has inscribed upon her brow the sentiment dear to every true American heart "liberty enlightening the world";

Whereas, the people in the island of Cuba who have been oppressed by the tyranny of the government of Spain for centuries, and who, two years ago, declared their intention to shake off the yoke of Spain and establish civil and political liberty, and who have during this time successfully resisted the power of Spain to extend and continue her power over them;

Whereas, the proximity of this people to our shores and mutual business intercourse makes them of special interest to us, and whose ability to govern themselves has been demonstrated by their intelligence and patriotism manifested during the present struggle;

Resolved, That we earnestly request congress to recognize the independence of Cuba, and that the government of Spain be notified that if her present method of warfare in the ruthlessly slaughtering of pacificos and prisoners of war does not end within the next sixty days, that the government of the United States will interfere in behalf of the Cuban cause;

Resolved, That our representatives in congress be requested to labor for such action on the part of congress;

Resolved, That the secretary of state is hereby requested to forward a copy of this memorial to our senators and members of congress.

The memorial was ordered printed.

Unanimous consent being given, Senator Brownell introduced senate resolution No. 9.

SENATE RESOLUTION NO. 9.

That whereas, the people of the state of Oregon being greatly interested in economy and in lowering the rate of taxation; and

Whereas, there is a desire upon the part of the people to examine and become acquainted with the different items of appropriations which are usually made in the appropriation bill; it is therefore

Resolved by the senate, That the committee having such appropriation bill in charge be and they are hereby instructed to have said bill prepared for presentation to the senate at such an early date as will permit the items therein to be published in the newspaper press of the state of Oregon before such bill is placed upon its final passage.

On motion of Senator Brownell, the resolution was adopted.

Unanimous consent being given, Senator Carter introduced senate concurrent resolution No. 12.

SENATE CONCURRENT RESOLUTION NO. 12.

Whereas, the sessions of the legislature of Oregon are shorter than in any other state; and, whereas, the vast number of bills introduced prevents the passage of bills essential to the interests of the state; therefore

Resolved, That no new bill shall be introduced after twenty-five days of the session, without unanimous consent.

Resolved, That the appropriation bill is exempt and must be brought in three days before the close of the session.

Senator Selling moved to amend by striking out the word "three" and insert the word "five."

The amendment was adopted.

On motion of Senator Carter, the resolution as amended was adopted.

Unanimous consent being given, Senator McClung introduced senate concurrent resolution No. 13.

SENATE CONCURRENT RESOLUTION NO. 13.

Resolved, That a special committee of two on part of the senate and three on part of the house be appointed by the president to prepare a memorial to the congress of the United States urging the necessity for an early commencement of and speedy completion of the Nicaragua canal.

On motion of Senator McClung, the resolution was adopted.

Senate bill No. 57. Senator Smith. A bill for an act to amend sections 959 and 960 of the code.

Senate bill No. 57 was read first time and passed to second reading without question.

Senate bill No. 58. Senator McClung. A bill for an act to authorize the booming of logs.

Senator McClung moved that the rules be suspended and that senate bill No. 58 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Gesner — 1.

So the rules were suspended and senate bill No. 58 was read first time by title only and passed to second reading.

Senate bill No. 59. Senator Smith. A bill for an act to amend section 504 of the code.

Senate bill No. 59 was read first time and passed to second reading without question.

Senate bill No. 60. Senator Mulkey. A bill for an act repealing an act creating office of additional judge for the third judicial district, etc.

Senate bill No. 60 was read first time and passed to second reading without question.

Senate bill No. 61. Senator Harmon. A bill for an act to regulate the salaries of the county clerk and sheriff of Josephine county and their deputies.

Senate bill No. 61 was read first time and passed to second reading without question.

Senate bill No. 62. Senator Brownell (by request). A bill for an act to provide for the location and relocation of county seats, etc.

Senator Brownell moved that the rules be suspended and that senate bill No. 62 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Gesner — 1.

So the rules were suspended and senate bill No. 62 was read first time by title only and passed to second reading.

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }
SALEM, Oregon, }
January 12, 1897. }

To the honorable the senate of the legislative assembly of the state of Oregon—

GENTLEMEN: I beg leave to acknowledge the receipt of a copy of senate resolution No. 3, requesting the furnishing of copies of Hill's annotated code, senate and house journals and session laws of the last regular session of the legislative assembly. In reply thereto I will say that I take pleasure in complying with so much of the resolution as it is possible by furnishing to you this day copies of the journals and session laws. In relation to the purchase of Hill's codes, I would suggest that a joint resolution, in accordance with precedent in that matter, be passed requesting sufficient codes for both houses.

Very respectfully yours,

H. R. KINCAID,
Secretary of state.

Unanimous consent being given, Senator McClung introduced senate concurrent resolution No. 15.

SENATE CONCURRENT RESOLUTION NO. 15.

Resolved by the senate, the house concurring. That the secretary of state be and he is hereby authorized to purchase ninety copies of the second edition of Hill's annotated laws of Oregon for the use of the members of this legislative assembly.

On motion of Senator McClung, the resolution was adopted.

Unanimous consent being given, Senator Taylor introduced senate concurrent resolution No. 14.

SENATE CONCURRENT RESOLUTION NO. 14.

Resolved by the senate, the house concurring. That a committee, consisting of two on the part of the senate and three on the part of the house, be appointed to examine into the books and affairs of the Weston and Monmouth state normal schools, together with their efficiency and benefits to the state in general, with power to employ the necessary clerical aid, whose salary shall not exceed \$3 per day.

On motion of Senator Taylor, the resolution was adopted.

Unanimous consent being given, Senator Wade introduced senate resolution No. 10.

SENATE RESOLUTION NO. 10.

Resolved by the senate, the house concurring, That a committee of two on the part of the senate and three on the part of the house be appointed to investigate the deaf-mute and blind schools of the state of Oregon, located in the county of Marion, and report as to their management and efficiency, and make such other recommendations as may be deemed necessary.

On motion of Senator Wade, the resolution was adopted.

Under the third order of business, Senator Patterson of Marion introduced the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 13, 1897. }

Mr. President:

Your special committee on fishing industries, instructed to prepare a bill for the protection of the salmon fishing industries and for the propagation and protection of the same, having made one trip to the cascades and dalles, visiting there the canneries, fish-wheels and seines, and two trips to Astoria, visiting the canneries, traps, seines and gillnet fisheries and taking pains to talk with and get the opinions of all interested in the different branches of the industry, found great difficulty in drawing a satisfactory bill, as the interests clash too much for anything like united action.

Your committee have, therefore, drawn a bill that aims at a compromise between all interests and which, therefore, will probably not be satisfactory to any, but we sincerely hope that, in view of the great necessity for propagation and protection of salmon, the second greatest industry and soon to be the first in the state, your honorable body will see fit to pass this bill, as it comes from the hands of men who have made a particular study of the matter with this end in view, and who personally have no interest on either side of the controversy.

We have also consulted with members of the Washington commission and feel satisfied that they will shape their legislation on the same lines as indicated in our bill and there will be no further conflict between the two states on this point, especially now that the question of concurrent jurisdiction has been finally settled by the courts.

We have also consulted freely with Mr. McGuire, our efficient fish and game protector, in regard to some of the difficulties in enforcing the present laws, and have endeavored to correct some of the difficulties he has been laboring under.

We wish especially to call the attention of your honorable body to the fact that our bill calls for the expenditure of no money taken from the state treasury, except the payment of the salary and expenses of the fish commissioner, all expenses of propagation and protection of the fish being provided by a direct tax on the different branches of the industry itself, collected in a manner that all interested have declared satisfactory. In other states where the fisheries do not amount to one half as much as it does in our state many thousands of dollars are annually expended from the state treasuries direct. We would call your special attention to the report of the fish and game protector for many statistics and much valuable information, not necessary for us to embody in this report.

F. A. BANCROFT,
I. L. PATTERSON,
Committee on the part of the senate.
O. F. PAXTON,
J. A. WRIGHT,
Committee on the part of the house.

The report was referred to the committee on fishing industries.

On motion of Senator Brownell, the senate adjourned until 10 o'clock a. m. tomorrow.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, JANUARY 14, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 14, 1897. }

The senate was called to order at 10 o'clock a. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. William Steele of Salem.

On motion of Senator Dawson, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Patterson of Washington moved that when the senate adjourn it adjourn to meet Monday, January 18, 1897, at 2:30 o'clock p. m.

The motion prevailed.

Unanimous consent being given, Senator Harmon introduced senate resolution No. 11.

SENATE RESOLUTION NO. 11.

Resolved, That the doings of the unorganized house of representatives is a menace to good law and order in the state of Oregon; and be it further

Resolved, That it is the earnest desire of this senate that a speedy, permanent organization be brought about on the part of the house of representatives.

On motion of Senator Harmon, the resolution was adopted.

Unanimous consent being given, Senator Gowan introduced senate resolution No. 12.

SENATE RESOLUTION NO. 12.

Resolved, That a special committee of the senators be appointed by the president, whose duty it shall be to investigate the books and accounts of the state librarian.

On motion of Senator Gowan, the resolution was adopted.

Unanimous consent being given, Senator Price presented the following communication:—

COMMUNICATION.

HEADQUARTERS FIRST REGIMENT INFANTRY, O. N. G.,
 PORTLAND, Oregon,
 January 11, 1897. }

To the members of the legislature, Salem, Oregon—

GENTLEMEN: On behalf of the officers and members comprising the troops of the Oregon national guard stationed in this city, I have the honor to extend to you a cordial invitation to be present at the armory, Tenth and Couch streets, on Friday evening next, the 15th inst., at 8 o'clock, for the purpose of witnessing a programme of military drill ceremonies and field exercises, which it has been arranged to present at that time. Admission to the armory on this occasion will be by ticket, and a supply of these, including reserved seats, will be furnished later in the week. I have the honor to remain,

Very respectfully,

O. SUMMERS,
 First regiment O. N. G., commanding.

On motion of Senator Price, the invitation was accepted.

Senate bill No. 63. Senator King. A bill for an act to amend section 1 of an act entitled "An act securing liens for labor on mining claims, etc."

Senate bill No. 63 was read first time and passed to second reading without question.

Senate bill No. 64. Senator Dufur. A bill for an act to amend sections 1047, 1048 and 1050 of the laws of Oregon, etc.

Senator Dufur moved that the rules be suspended and that senate bill No. 64 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Daly—1.

So the rules were suspended and senate bill No. 64 was read first time by title only and passed to second reading.

Senate bill No. 65. Senator Brownell. A bill for an act to improve the public highways of the state by regulating the width of tires, etc.

Senate bill No. 65 was read first time and passed to second reading without question.

Senate bill No. 66. Senator Price. A bill for an act authorizing and directing board of commissioners for school and university lands.

Senator Price moved that the rules be suspended and that senate bill No. 66 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Absent—Senator Michell—1.

So the rules were suspended and senate bill No. 66 was read first time by title only and passed to second reading.

Senate bill No. 67. Senator Selling. A bill for an act to amend section 5 of an act entitled an act to amend an act entitled an act to change in part the compensation and mode of payment thereof to the county clerks, etc.

Senate bill No. 66 was read first time and passed to second reading without question.

Senate bill No. 68. Senator Mackay. A bill for an act to authorize heirs of John Fenstermacker, deceased, etc.

Senator Mackay moved that the rules be suspended and that senate bill No. 68 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and senate bill No. 68 was read first time by title only and passed to second reading.

Senate bill No. 69. Senator Dufur. A bill for an act to amend sections 387 and 407 of the code of civil procedure.

Senator Dufur moved that the rules be suspended and that senate bill No. 69 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

So the rules were suspended and senate bill No. 69 was read first time by title only and passed to second reading.

Senate bill No. 70. Senator Calbreath. A bill for an act to create the third and tenth judicial districts, etc.

Senator Calbreath moved that the rules be suspended and that senate bill No. 70 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Patterson of Marion—1.

So the rules were suspended and senate bill No. 70 was read first time by title only and passed to second reading.

Senate bill No. 71. Senator Smith. A bill for an act to amend section 3 of an act to regulate the practice of medicine, approved February 3, 1895.

Senator Smith moved that the rules be suspended and that senate bill No. 71 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and senate bill No. 71 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Mulkey introduced senate concurrent resolution No. 16.

SENATE CONCURRENT RESOLUTION NO. 16.

Whereas, in accordance with instructions by congress, the president of the United States did, on the twenty-eighth day of September, 1892, proclaim a body of more than 4,500,000 acres of the public lands within the state of Oregon as the "Cascade forest reserve," extending from the Columbia river, the north boundary of the state, to within twenty-four miles of the California line on the south, thereby creating a physical division of the state of Oregon, and thereby depriving the people of this state of the use of 3,000,000 acres of land suitable for homes; and

Whereas, this reserve, as now proclaimed, seriously involves the present and prospective interests of many settlers within the state, both within and contiguous to said reserve, as well as miners, lumbermen and constructors of so-called military roads, for which the United States government has given an aggregate of more than 2,000,000 acres of the public lands within the state of Oregon, the value of which, as private property, is seriously affected by this reservation. Inasmuch as if it remain intact it will effect a political division of the state, impede development in what is now its middle portion, and by placing a governmental control and police surveillance under bureau government at Washington, become a source of disturbance between the state and the nation, of which it is a legal part, claiming all the rights of usance of the public lands and their resources, according to the original states of the union or those admitted since which have resources other than forest wealth and implied local dominion over them in whatever form; therefore, be it

Resolved by the senate, the house concurring, That we favor the modification of this reserve so as to set apart 320,000 acres to include Mt. Hood and the country covering the water supply of the city of Portland, giving the latter district to said city of Portland, in trust, to so manage as to prevent its deforestation while maintaining upon it a park for the preservation of the game ani-

mals natural to that region; a second reserve of 30,000 acres around and including Mt. Jefferson, and a third reserve of 900,000 acres including Crater lake. The remainder of the whole of the "Cascade forest reserve" to revert to the state of Oregon.

On motion of Senator Mulkey, the resolution was adopted.

Senate bill No. 72. Senator Gowan. A bill for an act amending section 1 of an act creating the county of Harney, etc.

Senate bill No. 72 was read first time and passed to second reading without question.

Senate bill No. 73. Senator Calbreath (by request). A bill for an act to regulate the practice of dental and oral surgery within the state of Oregon, and to create a state board of dental examiners.

Senator Calbreath moved that the rules be suspended and that senate bill No. 73 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators King and Brownell—2.

So the rules were suspended and senate bill No. 73 was read first time by title only and passed to second reading.

Senate bill No. 74. Senator McClung. A bill for an act to amend section 3542 of chapter XLVI of the laws of Oregon, etc.

Senate bill No. 74 was read first time and passed to second reading without question.

Senate bill No. 75. Senator Brownell (by request). A bill for an act to have manufactures and merchants stamp all goods offered for sale, etc.

Senator Brownell moved that the rules be suspended and that senate bill No. 75 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Holt, Hughes, Johnson, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Hobson, King, Mulkey and Reed—4.

So the rules were suspended and senate bill No. 75 was read first time by title only and passed to second reading.

Senate bill No. 76. Senator Dufur (by request). A bill for an act to amend an act to regulate the sale of spirituous, malt and vinous liquors, etc

Senator Dufur moved that the rules be suspended and that senate bill No. 76 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Holt, Hughes, Johnson, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 26.

Nays — None.

Absent — Senators Hobson, King, Mackay and Mulkey — 4.

So the rules were suspended and senate bill No. 76 was read first time by title only and passed to second reading.

Senate bill No. 77. Senator Gowan. A bill for an act to amend section 5 of an act entitled an act creating the ninth judicial district, etc.

Senate bill No. 77 was read first time and passed to second reading without question.

Senate bill No. 78. Senator Patterson of Washington (by request). A bill for an act to provide for collection of costs in criminal actions in justices' courts in the state of Oregon.

Senator Patterson moved that the rules be suspended and that senate bill No. 78 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Dawson and Mackay — 2.

So the rules were suspended and senate bill No. 78 was read first time by title only and passed to second reading.

Senate bill No. 79. Senator Gowan. A bill for an act to amend an act, approved February 25, 1895, entitled "An act to amend section 1170 of title VII of chapter XV of Hill's annotated laws of Oregon," etc.

Senate bill No. 79 was read first time and passed to second reading without question.

Senate bill No. 80. Senator McClung. A bill for an act to repeal an act entitled "An act to provide a state board of equalization," etc.

Senate bill No. 80 was read first time and passed to second reading without question.

Senate bill No. 81. Senator Gowan. A bill for an act to amend sections 1073 and 1074 of Hill's annotated laws of Oregon, authorized by statute February 26, 1885, etc.'

Senator Gowan moved that the rules be suspended and that senate bill No. 81 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

Nays—None.

So the rules were suspended and senate bill No. 81 was read first time by title only and passed to second reading.

Senate bill No. 82. Senator Gowan. A bill for an act to amend an act filed in the office of the secretary of state February 22, 1893; and to amend an act approved February 25, 1895; and to amend an act filed in the office of the secretary of state February 22, 1893, and all acts of which the above are amendatory, etc.

Senator Gowan moved that the rules be suspended and that senate bill No. 82 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President—29.

Nays—None.

Absent—Senator Wade—1.

So the rules were suspended and senate bill No. 82 was read first time by title only and passed to second reading.

Senate bill No. 83. Senator McClung. A bill for an act to amend section 4141 of title V, chapter LXXVI of the laws of Oregon, as compiled by W. Lair Hill.

Senate bill No. 83 was read first time and passed to second reading without question.

Senate bill No. 84. Senator Johnson (by request). A bill for an act to prohibit the manufacture and sale of cigarettes, etc.

Senate bill No. 84 was read first time and passed to second reading without question.

Senate bill No. 85. Senator Gowan. A bill for an act to

amend sections 1, 2, 3, 4 and 5 of an act to amend an act entitled an act to establish the Oregon soldiers' home.

Senator Gowan moved that the rules be suspended and that senate bill No. 85 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Reed — 2.

So the rules were suspended and senate bill No. 85 was read first time by title only and passed to second reading.

On motion of Senator Gowan the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

MONDAY, JANUARY 18, 1897.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 18, 1897. }

The senate was called to order at 2:30 p. m. by the president, pursuant to adjournment.

The roll was called and all the senators were present except Senators Brownell, Gesner and Gowan, who were absent on account of sickness.

On motion of Senator Price, the reading of Thursday's journal was dispensed with.

Unanimous consent being given, Senator Dawson introduced senate memorial No. 1.

SENATE MEMORIAL NO. 1.

Pursuant to call, a meeting of the citizens of the city of Brownsville and vicinity was held at the city hall in said city on Monday evening, January 11, 1897. The meeting was called to order and Peter Hume elected chairman and A. S. McDonald secretary. The chairman stated the object of the call was to memorialize the present legislative assembly in some manner of

the general wish of the people for greater economy in state expenditures, and repealing burdensome commissions, etc. After some discussion Mr. Hume submitted a rough draft of some things asked to be done by the legislature, and on motion a committee of ten members was then appointed, including the present chairman, to draft resolutions and send a copy to the senate and house of representatives as an expression of the citizens of the city of Brownsville and vicinity. The following citizens were then chosen as such committee:—

Peter Hume, O. P. Coshow, J. D. Arthur, B. F. Childs, W. R. Kirk, W. C. Cooley, J. H. Washburn, A. C. Hausman, Hugh Fields and A. W. Stanard.

The committee agreed to meet on Wednesday, January 13, 1897, at the office of O. P. Coshow in said city.

On motion the meeting adjourned.

The committee met as agreed and drafted the following:—

To the honorable senate and house of representatives of the state of Oregon, now in session at the city of Salem:

We, the citizens and taxpayers of Linn county, Oregon, irrespective of party or political views, hereby expressly notify your honorable body: That we look to you now to fulfill the pledges made to us, your constituents, that if elected you would not vote for any measure or act appropriating public money for any purpose other than the constitutional allowances and necessary expenses in strictest economy in the various departments of state and lawful institutions, as provided for by the constitution of our state only.

That you do at once pass an act repealing the railroad commission, the state board of equalization, horticulture, fish and game commissions and all other useless and expensive creations of recent years.

That you do not vote for appropriations of public money to any of the so-called state schools of any kind whatever, whether agricultural, normal or university; nor for the support of any so-called state or district fairs; nor for sectarian institutions of any kind.

That the number of circuit judges be reduced.

That we favor the reenactment of the mortgage tax law allowing just exemptions for all recorded indebtedness.

That the compensation allowed all state officers in future be kept within the constitutional limits, as near as possible.

That no fees be allowed the secretary of state, but that the same be turned into the state treasury.

That the matter of hiring unnecessary clerks in great num-

bers by members of committees, both in the senate and in the house, has become a reproach and a scandal and ought to cease.

That strict economy in all appropriations of all kinds must prevail, and that we will hold the present members of the senate and house to strict account in the matter of carrying out the wishes of the people in these matters, as you have pledged to do quite generally. And we mean to closely watch how each member votes on the above measure.

Very respectfully,

W. C. COOLEY,
W. R. KIRK,
PETER HUME,
J. D. ARTHUR,
HUGH FIELDS,
J. H. WASHBURN,
O. P. COSHOW,
A. C. HAUSMAN,
Committee.

On motion of Senator Dawson, the memorial was referred to the committee on ways and means.

On motion of Senator Mulkey, the courtesies of the senate were extended to Judge Truitt, and he was invited to a seat within the bar.

The president announced the following committee on senate resolution No. 12: Senators Gowan, Bates and Taylor.

Senate bill No. 86. Senator Driver. A bill for an act to provide for the payment and remittance of fines.

Senate bill No. 86 was read first time and passed to second reading without question.

Senate bill No. 87. Senator Selling. A bill for an act to empower county courts in counties of 50,000 or more inhabitants to work prisoners on public highways, etc.

Senate bill No. 87 was read first time and passed to second reading without question.

Senate bill No. 88. Senator Dufur. A bill for an act to provide better security against damage by fire in the use of steam threshing machines.

Senator Dufur moved that the rules be suspended and that senate bill No. 88 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Absent—Senators Brownell, Gesner and Gowan—3.

So the rules were suspended and senate bill No. 88 was read first time by title only and passed to second reading.

Senate bill No. 89. Senator Dawson (by request). A bill for an act to amend section 2798 of title VI of chapter XVII of Hill's annotated laws of Oregon, etc.

Senate bill No. 89 was read first time and passed to second reading without question.

Senate bill No. 90. Senator Harmon (by request). A bill for an act to create and provide for the county of Bay.

Senator Harmon moved that the rules be suspended and that senate bill No. 90 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Gesner and Gowan—3.

So the rules were suspended and senate bill No. 90 was read first time by title only and passed to second reading.

Senate bill No. 91. Senator Smith. A bill for an act to amend an act entitled "An act to protect salmon and other food fishes in the state of Oregon."

Senator Smith moved that the rules be suspended and that senate bill No. 91 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Gesner and Gowan—3.

So the rules were suspended and senate bill No. 91 was read first time by title only and passed to second reading.

Senate bill No. 92. Senator Dufur. A bill for an act to provide for and regulate the practice in justices' courts, etc.

Senator Dufur moved that the rules be suspended and that senate bill No. 92 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur,

Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Brownell, Gesner and Gowan — 3.

So the rules were suspended and senate bill No. 92 was read first time by title only and passed to second reading.

Senate bill No. 92. Senator Bates. A bill for an act authorizing the appointment of official reporters in the several departments of the fourth judicial district.

Senator Bates moved that the rules be suspended and that senate bill No. 93 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Brownell, Gesner and Gowan — 3.

So the rules were suspended and senate bill No. 93 was read first time by title only and passed to second reading.

Senate bill No. 94. Senator Reed. A bill for an act authorizing one Godfrey Seymour to construct and maintain a flood-gate on Hudson slough, in Douglas county, Oregon.

Senate bill No. 94 was read first time and passed to second reading without question.

Senate bill No. 95. Senator King. A bill for an act to amend sections 3113, 3114 and 3126 of title III of chapter XXIX of Hill's annotated laws of Oregon.

Senator King moved that the rules be suspended and that senate bill No. 95 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Brownell, Gesner and Gowan — 3.

So the rules were suspended and senate bill No. 95 was read first time by title only and passed to second reading.

Senate bill No. 96. Senator Driver. A bill for an act to provide for placing the United States national flag on schoolhouses, courthouses and other public buildings.

Senate bill No. 96 was read first time and passed to second reading without question.

Senate bill No. 97. Senator Dawson (by request). A bill for an act to amend section 2467 of title IV of chapter XIII of Hill's annotated laws of Oregon.

Senate bill No. 97 was read first time and passed to second reading without question.

Senate bill No. 98. Senator Hughes. A bill for an act to amend title III of chapter XVII of the miscellaneous laws of the state of Oregon, etc.

Senator Hughes moved that the rules be suspended and that senate bill No. 98 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Gesner and Gowan—3.

So the rules were suspended and senate bill No. 98 was read first time by title only and passed to second reading.

Senate bill No. 99. Senator Daly. A bill for an act to amend section 8 of an act entitled "An act to regulate the practice of pharmacy, and the sale of poison," etc.

Senator Daly moved that the rules be suspended and that senate bill No. 99 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Gesner and Gowan—3.

So the rules were suspended and senate bill No. 99 was read first time by title only and passed to second reading.

Senate bill No. 100. Senator Mulkey. A bill for an act to prevent corrupt practices at elections.

Senator Mulkey moved that the rules be suspended and that senate bill No. 100 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Gesner and Gowan—3.

So the rules were suspended and senate bill No. 100 was read first time by title only and passed to second reading.

Senate bill No. 101. Senator Johnson (by request). A bill for an act to amend an act incorporating the city of Brownsville, Linn county.

Senator Johnson moved that the rules be suspended and that senate bill No. 101 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Gesner, Gowan and Mulkey—4.

So the rules were suspended and senate bill No. 101 was read first time by title only and passed to second reading.

Senate bill No. 102. Senator Smith. A bill for an act abolishing fishtraps and other fixed appliances for catching salmon after January 1, 1899.

Senate bill No. 102 was read first time and passed to second reading without question.

Senate bill No. 103. Senator Patterson of Washington. A bill for an act to further enlarge and regulate the powers of the city of Hillsboro and to amend certain sections.

Senator Patterson of Washington moved that the rules be suspended and that senate bill No. 103 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Calbreath, Gesner and Gowan—4.
So the rules were suspended and senate bill No. 103 was read first time by title only and passed to second reading.

Senate bill No. 104. Senator Hobson. A bill for an act to amend section 291 of title I of chapter III of Hill's annotated laws of Oregon.

Senator Hobson moved that the rules be suspended and that senate bill No. 104 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Gesner, Gowan and McClung—4.
So the rules were suspended and senate bill No. 104 was read first time by title only and passed to second reading.

Senate bill No. 105. Senator Patterson of Marion. A bill for an act to provide for transportation of convicts to the penitentiary.

Senate bill No. 105 was read first time and passed to second reading without question.

Senate bill 106. Senator Haseltine (by request). A bill for an act to create a nonpartisan board of trustees of the Oregon insane asylum, etc.

Senator Haseltine moved that the rules be suspended and that senate bill No. 106 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Carter, Daly, Dawson, Driver, Haseltine, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—23.

Nays—None.

Absent—Senators Brownell, Calbreath, Dufur, Gesner, Gowan, Harmon and Hobson—7.

So the rules were suspended and senate bill No. 106 was read first time by title only and passed to second reading.

Senate bill No. 107. Senator Patterson. A bill for an act to prescribe the fee of witnesses in Marion county.

Senate bill No. 107 was read first time and passed to second reading without question.

Senate bill No. 108. Senator Selling. A bill for an act to enlarge the power and duties and fix the maximum rate of compensation of assignees; to prevent unlawful preferences, etc.

Senator Selling moved that the rules be suspended and that senate bill No. 108 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Dufur, Gesner, Gowan and Patterson of Washington—5.

So the rules were suspended and senate bill No. 108 was read first time by title only and passed to second reading.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, JANUARY 19, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 19, 1897. }

The senate was called to order at 10 o'clock a. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of sickness.

The morning session of the senate was opened with prayer by Rev. Dr. Kantner of the Congregational church.

On motion of Senator Dawson, the reading of the journal of yesterday's proceedings was dispensed with.

The president received the following communication, and presented the same to the senate for its consideration:—

COMMUNICATION.

OFFICE OF OREGON SOLDIERS' HOME, }
ROSEBURG, Oregon,
January 17, 1897. }

Hon. Joseph Simon, president Oregon state senate—

DEAR SIR: As commandant of the Oregon soldiers' home, I have the honor of inviting you, and through you, the body over which you preside, to visit this state institution. Suit your own

convenience and come either as a body or individually, and at any time desired. We would be pleased if you would come and see us, and believe that you would better know our situation, wants and needs.

Respectfully,

W. H. BYARS,
Commandant.

On motion of Senator Gesner, the invitation was accepted.

COMMUNICATION.

OFFICE OF DALLAS BOARD OF TRADE, }
DALLAS, Texas, }
January 7, 1897. }

To the president of the senate, Salem, Oregon—

DEAR SIR: This board of trade has been impressed with the vital importance of the passage of a bankrupt bill, and has been in active communication with the like commercial bodies over the country with the view of speeding the passage of some just and equitable bill.

We find the general consensus of opinion is that such an act is a necessity, and many commercial bodies have memorialized congress praying its passage, forwarding petitions similar substantially to the one enclosed from the Milwaukee chamber of commerce.

The deplorable condition of financial slavery resting upon thousands of our fellow-men, the loss to the state from a paralysis of their energies, the cruelty of forever keeping such men in bondage, forcibly suggests to all men having in their hearts charity and kindness for these long-suffering men and their families that relief should be granted.

In view of this condition of affairs, and of the incomparable beneficence of a bankrupt bill, we venture to invoke your aid, and that of the body over which you preside, in speeding the passage of such a bill through the senate of the United States.

The bill, as you know, has passed the house and is now on the senate's calendar awaiting its action. As there remains only some forty days of the present session, we beg to suggest that the passage by your body of a joint resolution invoking immediate action on the part of the United States senate would be most desirable.

Such a resolution will be promptly introduced and passed by our legislature, which convenes next Tuesday.

Very respectfully,

LEO WALFSON,
Secretary.

PETITION.

OFFICE OF CHAMBER OF COMMERCE,
MILWAUKEE, Wisconsin,
December 28, 1896. }

To the honorable the senate of the United States:

The following resolutions were unanimously adopted at a meeting of the board of directors of the chamber of commerce of the city of Milwaukee, held on this date:

Resolved, That the chamber of commerce of the city of Milwaukee, through its board of directors, earnestly appeals to the senate of the United States to promptly pass the Torrey bankruptcy bill, which has already passed the house of representatives, and only awaits the favorable action of the senate to become a law; thus at once affording a measure of relief and protection of which the nation at the present time stands greatly in need—relief in “releasing from financial servitude thousands of able, energetic and experienced men, whose restored energies could again be devoted to the upbuilding of the state,” and protecting in removing one of the most fruitful causes of financial distrust and panics in the temptation which the absence of an equitable bankrupt law affords to any creditor in case of financial embarrassment of his debtor to seek his own advantage to the detriment of other creditors and the ruin of the debtor. “Neither common sense nor justice demands the continued and helpless servitude of such a great number of our fellow-men,” nor the continuance of this needless hindrance of the returning prosperity of our country.

Failure to pass the bill by the senate at this session will probably involve indefinite delay in the passage of another bill, and such delay simply means denial of relief for men now past the prime of life, who have but few years remaining to recuperate their fortunes.

Resolved, That a copy of this action be transmitted to the president of the United States senate, and that the senators from Wisconsin be respectfully requested to use their best efforts to secure the passage of that beneficent measure, the Torrey bankruptcy bill, at the present session.

Respectfully presented in behalf of the board of the chamber of commerce of the city of Milwaukee.

W. J. LANGSON,
Secretary.

CASSIUS N. PAINE,
President.

Referred to committee on judiciary.

Senate bill No. 109. Senator King. A bill for an act to repeal acts creating board of railroad commissioners and defining their duties.

Senate bill No. 109 was read first time and passed to second reading without question.

Senate bill No. 110. Senator Daly. A bill for an act to exempt homesteads from attachments and judicial sale.

Senator Daly moved that the rules be suspended and that senate bill No. 110 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Harmon — 2.

So the rules were suspended and senate bill No. 110 was read first time by title only and passed to second reading.

Senate bill No. 111. Senator Driver. A bill for an act to provide for the prompt organization of the legislative assembly of the state of Oregon.

Senate bill No. 111 was read first time and passed to second reading without question.

Senator Driver moved that the rules be suspended and that senate bill No. 111 be read second time now and by title only.

On this motion the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President — 23.

Nays — Senator Holt — 1.

Absent — Senators Brownell, Daly, Dawson, Holt, King and Smith — 6.

So the rules were suspended and senate bill No. 111 was read second time by title only.

Senator Driver moved that the rules be further suspended and that senate bill No. 111 be read third time now and placed on final passage.

On this motion the roll was called and the vote was:

Those voting aye were —

Senators Calbreath, Carter, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, McClung, Patterson of Marion, Patterson of Washington, Price and Reed — 16.

Nays — Senators Bates, Daly, Dawson, Holt, King, Mackay, Michell, Mulkey, Selling, Smith, Taylor, Wade and Mr. President — 13.

Absent—Senator Brownell—1.

The motion was lost.

On motion of Senator Dawson, senate bill No. 111 was laid on the table and the clerk directed to have copies printed for the use of the senators.

Senate bill No. 112. Senator McClung. A bill for an act to amend sections 3471 and 3475 of chapter XLI of the miscellaneous laws of Oregon, etc.

Senate bill No. 112 was read first time and passed to second reading without question.

On motion of Senator Dawson, the courtesies of the senate were extended to Hon. M. C. George, and he was invited to a seat within the bar.

Senate bill No. 113. Senator Gowan. A bill for an act to prevent sheep, horses and cattle being moved or driven from any county without permission of the owner of the land.

Senator Gowan moved that the rules be suspended and that senate bill No. 113 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 113 was read first time by title only and passed to second reading.

Senate bill No. 114. Senator Gowan (by request). A bill for an act providing for the election of prosecuting attorneys, prescribing their duties and compensation in the several counties in the state of Oregon.

Senator Gowan moved that the rules be suspended and that senate bill No. 114 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 114 was read first time by title only and passed to second reading.

Senate bill No. 115. Senator Gowan. A bill for an act to require clerks of the county court to administer oaths in pension matters and certify pension vouchers without compensation.

Senate bill No. 114 was read first time and passed to second reading without question.

Senator Dawson moved that senate bills coming on for second reading be referred to the several committees, unless otherwise ordered by the senate.

The motion prevailed.

Senate bill No. 116. Senator Smith (by request). A bill for an act to amend section 1017 of title V of chapter XIII of the general laws of Oregon.

Senate bill No. 116 was read first time and passed to second reading without question.

Senate bill No. 1 coming on for second reading was read second time.

On motion of Senator Johnson, senate bill No. 1 was ordered engrossed and passed to third reading.

Senate bill No. 2 coming on for second reading was read second time.

On motion of Senator Daly, senate bill No. 2 was referred to the committee on judiciary.

Senate bill No. 3 coming on for second reading was read second time.

Senate bill No. 3 was referred to the committee on railroads.

Senate bill No. 4 coming on for second reading was read second time.

Senate bill No. 4 was referred to the committee on assessment and taxation.

Senate bill No. 5 coming on for second reading, Senator McClung moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Gowan—2.

So the rules were suspended and senate bill No. 5 was read second time by title only.

Senate bill No. 5 was referred to the committee on assessment and taxation.

Senate bill No. 6 coming on for second reading was read second time.

Senate bill No. 6 was referred to the committee on assessment and taxation.

Senate bill No. 7 coming on for second reading was read second time.

Senate bill No. 7 was referred to the committee on judiciary.

Senate bill No. 8 coming on for second reading, Senator Mackay moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, King and Reed—3.

So the rules were suspended and senate bill No. 8 was read second time by title only.

Senate bill No. 8 was referred to the committee on commerce and navigation.

Senate bill No. 9 coming on for second reading, Senator Price moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Hobson, Patterson of Marion and Wade—4.

So the rules were suspended and senate bill No. 9 was read second time by title only.

Senate bill No. 9 was referred to the committee on assessment and taxation.

Senate bill No. 10 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, John-

son, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, King and Patterson of Marion—3.

So the rules were suspended and senate bill No. 10 was read second time by title only.

Senate bill No. 10 was referred to the committee on election and privileges.

Senate bill No. 11 coming on for second reading was read second time.

Senate bill No. 11 was referred to the committee on revision of laws.

Senate bill No. 12 coming on for second reading, Senator King moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and King—2.

So the rules were suspended and senate bill No. 12 was read second time by title only.

Senate bill No. 12 was referred to the committee on municipal corporations.

Senate bill No. 13 coming on for second reading, Senator Selling moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 13 was read second time by title only.

Senate bill No. 13 was referred to a special committee, consisting of Multnomah county senators.

Senate bill No. 14 coming on for second reading, Senator John-

son moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 14 was read second time by title only.

Senate bill No. 14 was referred to the committee on revision of laws.

Senate bill No. 15 coming on for second reading, Senator Daly moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 15 was read second time by title only.

Senate bill No. 15 was referred to the committee on assessment and taxation.

Senate bill No. 16 coming on for second reading was read second time.

Senate bill No. 16 was referred to the committee on revision of laws.

Senate bill No. 17 coming on for second reading was read second time.

Senate bill No. 17 was referred to the committee on judiciary.

Senate bill No. 18 coming on for second reading, Senator Price moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of

Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 18 was read second time by title only.

Senate bill No. 18 was referred to the committee on revision of laws.

Senate bill No. 19 coming on for second reading was read second time.

Senate bill No. 19 was referred to the committee on education.

Senate bill No. 20 coming on for second reading was read second time.

Senate bill No. 20 was referred to the committee on judiciary.

Senate bill No. 21 coming on for second reading, Senator Patterson of Washington moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Driver—2.

So the rules were suspended and senate bill No. 21 was read second time by title only.

Senate bill No. 21 was referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 22 coming on for second reading, Senator Taylor moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and King—2.

So the rules were suspended and senate bill No. 22 was read second time by title only.

Senate bill No. 22 was referred to the committee on municipal corporations.

Senate bill No. 23 coming on for second reading was read second time.

Senate bill No. 23 was referred to the committee on judiciary.

Senate bill No. 24 coming on for second reading was read second time.

Senate bill No. 24 was referred to the committee on judiciary.

Senate bill No. 25 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Reed—2.

So the rules were suspended and senate bill No. 25 was read second time by title only.

Senate bill No. 25 was referred to the committee on public lands.

On motion of Senator Patterson of Marion, the senate adjourned until 10 o'clock a. m. tomorrow.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, JANUARY 20, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of sickness.

The morning session of the senate was opened with prayer by Rev. W. B. Magnan, rector of St. Paul's Episcopal church.

On motion of Senator Price, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 117. Senator Smith (by unanimous consent). A bill for an act limiting compensation of state officers, etc.

Senator Smith moved that the rules be suspended and that senate bill No. 117 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Holt—2.

So the rules were suspended and senate bill No. 117 was read first time by title only and passed to second reading.

Senate bill No. 26 coming on for second reading, Senator Mulkey moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Holt and King—3.

So the rules were suspended and senate bill No. 26 was read second time by title only.

Senate bill No. 26 was referred to the committee on assessment and taxation.

Senate bill No. 27 coming on for second reading was read second time.

Senate bill No. 27 was referred to the committee on assessment and taxation.

Senate bill No. 28 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Holt—2.

So the rules were suspended and senate bill No. 28 was read second time by title only.

Senate bill No. 28 was referred to the committee on judiciary.

Senate bill No. 29 coming on for second reading was read second time.

Senate bill No. 29 was referred to the committee on judiciary.

Senate bill No. 30 coming on for second reading was read second time.

Senate bill No. 30 was referred to the committee on assessment and taxation.

Senate bill No. 31 coming on for second reading was read second time.

Senate bill No. 31 was referred to the committee on judiciary.

Senate bill No. 32 coming on for second reading, Senator McClung moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Holt and King—3.

So the rules were suspended and senate bill No. 32 was read second time by title only.

Senate bill No. 32 was referred to the committee on revision of laws.

Senate bill No. 33 coming on for second reading was read second time.

Senate bill No. 33 was referred to the committee on judiciary.

Senate bill No. 34 coming on for second reading was read second time.

Senate bill No. 34 was referred to the committee on judiciary.

Senate bill No. 35 coming on for second reading, Senator Patterson of Marion moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Holt—2.

So the rules were suspended and senate bill No. 35 was read second time by title only.

On motion of Senator Gesner, senate bill No. 35 was referred to a select committee of senators from Marion county.

Senate bill No. 36 coming on for second reading was read second time.

Senate bill No. 36 was referred to the committee on judiciary.

Senate bill No. 37 coming on for second reading was read second time.

Senate bill No. 37 was referred to the committee on counties.

Senate bill No. 38 coming on for second reading, Senator Mackay moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 38 was read second time by title only.

Senate bill No. 38 was referred to the committee on counties.

Senate bill No. 39 coming on for second reading was read second time.

Senate bill No. 39 was referred to the committee on counties.

Senate bill No. 118. Senator Dawson (by unanimous consent). A bill for an act to define the terms "land" and "real property" for the purposes of taxation, etc.

Senator Dawson moved that the rules be suspended and that senate bill No. 118 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 118 was read first time by title only and passed to second reading.

Senate bill No. 119. Senator Brownell (by unanimous consent) A bill for an act providing for the construction of a macadam or Telford road from the asylum building to the asylum farm, and appropriating money therefor.

Senator Gesner moved that the rules be suspended and that senate bill No. 119 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Brownell -- 1.

So the rules were suspended and senate bill No. 119 was read first time by title only and passed to second reading.

Senate bill No. 120. Senator Harmon (by unanimous consent). A bill for an act to provide for and establish free public libraries and reading-rooms in the state of Oregon.

Senator Harmon moved that the rules be suspended and that senate bill No. 120 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Price — 2.

So the rules were suspended and senate bill No. 120 was read first time by title only and passed to second reading.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 20, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of illness, and Senator Gowan excused on account of business.

SENATE PETITION NO. 1.

The president presented a petition from the heirs at law of John Fenstermacher, deceased, praying for certain real property and personal property and moneys to the value of \$2,484.10, escheated to the state.

The petition was referred to the committee on judiciary.

Unanimous consent being given, Senator Gesner introduced senate joint resolution No. 1.

SENATE JOINT RESOLUTION NO. 1.

Resolved by the senate, the house concurring, That the following amendments to the constitution of the state of Oregon be and are hereby proposed:—

That to article IV, section 32, shall be added the following:

ARTICLE IV.

Section 32. Every and all bills making appropriations of money from the funds of the state shall be introduced not later than six days before the time of final adjournment of the legislature.

That to article V, section 19, shall be added the following:

ARTICLE V.

Section 19. Every and all bills which have passed the legislative assembly making appropriations of sums of money for different purposes, it shall be competent for the governor to veto any one or more of the separate items of appropriations, and return the same with his objections thereto as provided in section 15, and approve the remaining portions of the bill, which shall then become a law.

The resolution was ordered printed.

Senate bill No. 121. Senator Wade. A bill for an act for the relief of Union county, etc.

Senate bill No. 121 was read first time and passed to second reading without question.

Senate bill No. 122. Senator King (by request). A bill for an act entitled "An act to amend section 57 of title V of chapter I of Hill's code."

Senate bill No. 122 was read first time and passed to second reading without question.

Senate bill No. 123. Senator Patterson of Marion (by request). A bill for an act to prevent floating of wood, timber or logs onto river bottom lands in the state of Oregon.

Senate bill No. 123 was read first time and passed to second reading without question.

Senate bill No. 124. Senator Harmon. A bill for an act to regulate the taking of salmon in Rogue river.

Senate bill No. 124 was read first time and passed to second reading without question.

Senate bill No. 125. Senator Mulkey (by request). A bill for an act to preserve from injury or removal property and records upon public lands and waters.

Senate bill No. 125 was read first time and passed to second reading without question.

Senate bill No. 126. Senator Smith (by request). A bill for an act providing for the formation of coöperative corporations.

Senate bill No. 126 was read first time and passed to second reading without question.

On motion of Senator Gesner, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, JANUARY 21, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 21, 1897. }

The senate was called to order at 10 o'clock a. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of sickness.

The morning session of the senate was opened with prayer by Rev. P. Bittner.

On motion of Senator Gowan, the reading of the journal of yesterday's proceedings was dispensed with.

The president presented the following communication and resolution to the senate for its consideration:—

COMMUNICATION.

OFFICE OF CHAMBER OF COMMERCE, }
PORTLAND, Oregon,
January 20, 1897. }

Hon. Joseph Simon, president of the senate, Salem, Oregon—

SIR: The undersigned, a committee appointed by the chamber of commerce of the city of Portland to solicit action by the legislature of Oregon concerning the Nicaragua canal, beg leave to

submit the enclosed resolution, and respectfully recommend its passage by the legislative assembly of this state.

Respectfully,

GEO. H. WILLIAMS,
H. M. CAKE,
R. L. DURHAM,
Committee.

RESOLUTION.

Whereas, it is of the highest importance to the people of the United States, and especially to the people of the Pacific coast, that the Nicaragua canal should be constructed without unnecessary delay; therefore be it

Resolved by the legislative assembly of the state of Oregon, That our senators be and they are hereby instructed, and our representatives in congress requested, to use all honorable means in their power to secure the passage of the bill now pending before congress for the construction of said canal.

The resolution was referred to the committee on federal relations.

Unanimous consent being given, Senator Mulkey introduced senate petition No. 2.

SENATE PETITION NO. 2.

To the honorable members of the state legislature of Oregon:

Inasmuch as the cigarette is injuring morally, mentally and physically a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned, parents, educators and physicians, ask your most honorable body, to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon. (Signed by many petitioners).

The petition was referred to the committee on education.

Unanimous consent being given, Senator Johnson introduced senate petition No. 3.

SENATE PETITION NO. 3.

To the honorable members of the state legislature of Oregon:

Inasmuch as the cigarette is injuring morally, mentally and physically a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned, parents, educators and physicians, ask your most honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon,

a violation of this law to be punished by heavy fine and imprisonment. (Signed by many petitioners).

The petition was referred to the committee on education.

Unanimous consent being given, Senator Dawson introduced senate petition No. 4.

SENATE PETITION NO. 4.

We, the christian endeavor societies of Albany, Oregon, representing four hundred citizens of this county, do earnestly petition your honorable body in behalf of the passage of the anti-cigarette bill.

C. E. SOX,

President local union.

ETHEL E. REDFIELD,

Recording secretary local union.

The petition was referred to the committee on education.

Unanimous consent being given, Senator Gowan introduced senate resolution No. 13.

SENATE RESOLUTION NO. 13.

Resolved by the senate, [the house concurring, That the attorney-general, Hon. C. M. Idleman, be and he is hereby requested to forthwith furnish the legislative assembly with a written opinion whether or not salaries of district and county officers can be reduced during the term for which such officers are elected or appointed, or whether the salary as fixed when the office is assumed becomes a vested right under the constitution of this state.

The resolution was referred to the committee on judiciary.

Unanimous consent being given, Senator McClung introduced senate resolution No. 14.

SENATE RESOLUTION NO. 14.

Resolved, That the secretary of state be and he is hereby requested to deliver to the president of the senate senate joint resolution No. 7, of the eighteenth biennial session of the legislative assembly of the state of Oregon, which was duly passed by both houses at said session, and was duly enrolled and signed by the president of the senate and the speaker of the house.

On motion of Senator McClung, the resolution was adopted.

Unanimous consent being given, Senator Smith introduced senate petition No. 5.

SENATE PETITION NO. 5.

To the honorable members of the legislature of Oregon:

Inasmuch as the cigarette is injuring morally, mentally and physically a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned, parents, educators and physicians, ask your most honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment. (Signed by many petitioners.)

The petition was referred to the committee on education.

Senate bill No. 127. Senator Carter (by request). A bill for an act to regulate the manufacture and sale of commercial fertilizers and to prevent the manufacture and sale of adulterated fertilizers, etc.

Senator Carter moved that the rules be suspended and that senate bill No. 127 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 127 was read first time by title only and passed to second reading.

Senate bill No. 128. Senator Smith. A bill for an act fixing west line of Columbia county.

Senate bill No. 128 was read first time and passed to second reading without question.

Senate bill No. 129. Senator Driver. A bill for an act to provide for the inspection of all private or public hospitals, reformation houses, etc.

Senator Driver moved that the rules be suspended and that senate bill No. 129 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and King—2.

So the rules were suspended and senate bill No. 129 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Smith introduced senate petition No. 6.

SENATE PETITION NO. 6.

To the legislature of the state of Oregon in session assembled:

We, the undersigned citizens of Columbia county, hereby respectfully petition your honorable body to cause the west boundary line of Columbia county changed (3) three miles further east, beginning at the southeast corner of township (5) five north, range (6) six west; thence due east to the southeast corner of section (33) thirty-three, township (5) five north, range (5) five west, Willamette meridian; thence due north to the Columbia river; that this part of Columbia county may be made a part of Clatsop county.

The reason for desiring this change is that our only outlet is by way of Clatsop county to Astoria, in which direction we wish to employ all our energies in building and improving roads which is of no interest to Columbia county, Astoria being our best market.

We pray that you will grant this change, as it will be a great benefit to all concerned. (Signed by many petitioners).

The petition was referred to the committee on counties.

Senate bill No. 130. Senator Driver. A bill for an act to prevent wearing in public schools by teachers any dress or emblem showing religion, etc.

Senator Driver moved that the rules be suspended and that senate bill No. 130 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 130 was read first time by title only and passed to second reading.

Senate bill No. 131. Senator Mulkey. A bill for an act amending an act to amend sections 2, 6, 9, 11 and 12, and provide for the laying out, constructing or improving county roads, etc.

Senator Mulkey moved that the rules be suspended and that senate bill No. 131 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 131 was read first time by title only and passed to second reading.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 21, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Brownell and McClung, who were excused on account of sickness, and Senator Holt.

Senate bill No. 40 coming on for second reading, Senator Haseltine moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Holt and McClung—3.

So the rules were suspended and senate bill No. 40 was read second time by title only.

Senator Haseltine moved that senate bill No. 40 be referred to the committee on municipal corporations.

Senator Mackay moved to amend that senate bill No. 40 be referred to a select committee, consisting of the senators from Multnomah county.

Senators Haseltine and Driver demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Dufur, Gesner, Gowan, Hobson, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—22.

Nays—Senators Driver, Harmon, Haseltine, Hughes and Price—5.

Absent—Senators Brownell, Holt and McClung—3.

So the motion to amend prevailed.

The motion as amended was adopted.

Senate bill No. 40 was referred to a select committee consisting of the senators from Multnomah county.

Senate bill No. 41 coming on for second reading was read second time.

Senate bill No. 41 was referred to the committee on municipal corporations.

Senate bill No. 42 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Holt and McClung—3.

So the rules were suspended and senate bill No. 42 was read second time by title only.

Senate bill No. 42 was referred to the committee on judiciary.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, JANUARY 22, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 22, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of sickness.

The morning session of the senate was opened with prayer by Rev. Denton of the First Christian church.

On motion of Senator Johnson, the reading of the journal of yesterday's proceedings was dispensed with.

Senator McClung introduced senate joint memorial No. 2.

SENATE JOINT MEMORIAL NO. 2.

To the honorable senate and house of representatives of the United States in congress assembled:

Whereas, the construction of the Nicaragua canal would be of great and infinite value and benefit to the people of the Pacific coast, and especially to the people of the state of Oregon, as it would afford greater protection to this coast in time of war, open up new lines of trade and commerce in time of peace, tend to cheapen transportation to foreign and Atlantic seaboard markets, build up new enterprises everywhere within our state and largely tend to maintain old ones, greatly increase our population and thus enhance our wealth and multiply our resources; and

Whereas, there is now pending in the congress of the United States senate bill No. 3247 to amend an act entitled "An act to incorporate the Maratime canal company of Nicaragua," which bill provided for a board of directors, consisting of eleven (11) members, one to be appointed by Costa Rica, one by Nicaragua, one by the Maratime canal company and the remaining eight members to be appointed by the president of the United States, and which bill also contains many important and essential provisions, the result of many years' patient and careful consideration, placing the entire work of building said canal and operating the same under the direct and absolute control of the United States; now, therefore, be it

Resolved by the legislative assembly of the state of Oregon, That our senators in congress, and the representatives in the house of representatives, are respectfully and earnestly requested to lose no time or opportunity to press this measure forward, using their utmost endeavors to that end, and to record their votes in support of this grand national enterprise.

Resolved, That his excellency, the governor, is hereby respectfully requested to forward each of our senators and representatives a copy of these resolutions.

The memorial was ordered printed.

Senator Dawson introduced senate petition No. 7.

SENATE PETITION NO. 7.

To the honorable members of the state legislature of Oregon:

Inasmuch as the cigarette is injuring morally, mentally and physically a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned, parents, educators and physicians, ask your most honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment. (Signed by many petitioners).

The petition was referred to the committee on education.

Senator Michell introduced senate petition No. 8.

SENATE PETITION NO. 8.

To the honorable members of the state legislature of Oregon:

Inasmuch as the cigarette is injuring morally, mentally and physically, a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned parents, educators and physicians, ask your most honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment. (Signed by many petitioners).

The petition was referred to the committee on education.

Senator Mulkey introduced senate petition No. 9.

SENATE PETITION NO. 9.

We, the undersigned residents and legal voters and taxpayers in the state of Oregon, respectfully petition the legislative assembly of the state of Oregon at its session of 1897 to enact a law or some amendment to law which will allow a deduction of

indebtedness from taxable property within the state of Oregon, and also provide for taxation of the amount so deducted against the person who owns the debt. (Signed by many petitioners).

The petition was referred to the committee on assessment and taxation.

Senator Patterson of Washington introduced senate joint resolution No. 2.

SENATE JOINT RESOLUTION NO. 2.

Be it resolved by the senate and the house, That the following amendment to the constitution of the state of Oregon be and the same is hereby proposed:—

That section 15 of article V of the constitution of the state of Oregon be amended to read as follows:

Sec. 15. Every bill which shall have passed the legislative assembly shall, before it becomes a law, be presented to the governor; if he approve, he shall sign it, but if not, he shall return it with his objections to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of the members present it shall become a law.

But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journal of each house respectively; if any bill shall not be returned by the governor within five days (Sundays excepted) after it shall have been presented to him it shall be a law without his signature, unless the general adjournment shall prevent its return, in which case it shall be a law, unless the governor within five days next after the adjournment (Sundays excepted) shall file such bill, with his objections thereto, in the office of the secretary of state, who shall lay the same before the legislative assembly at its next session in like manner as if it had been returned by the governor; *provided, however, that every bill which shall have passed the legislative assembly making an appropriation of money, whether the same is to be paid out of a general fund or a special fund, the governor may object to the amount appropriated by such bill, or object to any item on the bill, or he may reduce the amount appropriated or the amount of any item in the bill, and such objections shall be reconsidered by the legislative assembly in the same manner as objections are to be reconsidered in other cases.*

The resolution was referred to the committee on judiciary.

On motion of Senator Mulkey, the courtesies of the senate were extended to ex-Senator Hatch of Polk county, and he was invited to a seat within the bar.

Senate bill No. 132. Senator Wade. A bill for an act to establish maximum freight rates by the carload on the different railroads of the state.

Senator Wade moved that the rules be suspended and that senate bill No. 132 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 132 was read first time by title only and passed to second reading.

Senate bill No. 133. Senator Michell (by request). A bill for an act for the relief of all those physicians and surgeons who registered with the several county clerks of the state of Oregon under the act to regulate the practice of medicine.

Senator Michell moved that the rules be suspended and that senate bill No. 133 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Mackay—2.

So the rules were suspended and senate bill No. 133 was read first time by title only and passed to second reading.

Senate bill No. 134. Senator Daly. A bill for act to prevent the production and sale of unwholesome food and to regulate sales of adulterated foods, drinks and medicine.

Senator Daly moved that the rules be suspended and that senate bill No. 134 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Pat-

terson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Mackay — 2.

So the rules were suspended and senate bill No. 134 was read first time by title only and passed to second reading.

On motion of Senator King, the courtesies of the senate were extended to ex Senator Vanderberg, and he was invited to a seat within the bar.

Senate bill No. 135. Senator King (by request). A bill for an act to provide for nonforfeiture of life insurance policies issued on lives of persons within this state.

Senate bill No. 135 was read first time and passed to second reading without question.

Senate bill No. 136. Senator Johnson. A bill for an act to amend an act entitled an act to fix the compensation of county assessors and commissioners in the state of Oregon.

Senator Johnson moved that the rules be suspended and that senate bill No. 136 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President — 26.

Nays — None.

Absent — Senators Brownell, Dawson, Mackay and Wade — 4.

So the rules were suspended and senate bill No. 136 was read first time by title only and passed to second reading.

Senate bill No. 137. Senator Haseltine. A bill for an act to regulate horseshoeing in counties of fifty thousand or more.

Senator Haseltine moved that the rules be suspended and that senate bill No. 137 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Dawson — 2.

So the rules were suspended and senate bill No. 137 was read first time by title only and passed to second reading.

On motion of Senator Gowan, the courtesies of the senate were

extended to ex-Senator Chandler and he was invited to a seat within the bar.

Senate bill No. 138. Senator Harmon. A bill for an act to protect salmon in various rivers in Oregon.

Senate bill No. 138 was read first time and passed to second reading without question.

Senate bill No. 139. Senator Reed. A bill for an act to amend section 2608 of chapter XVI, title IV, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 139 was read first time and passed to second reading without question.

Senate bill No. 140. Senator McClung. A bill for an act to amend sections 5 and 8 of an act passed by the legislative assembly of 1895.

Senator McClung moved that the rules be suspended and that senate bill No. 140 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Dawson—2.

So the rules were suspended and senate bill No. 140 was read first time by title only and passed to second reading.

Senate bill No. 141. Senator Hughes (by request). A bill for an act to define the qualifications of voters at school meetings and elections, etc.

Senate bill No. 141 was read first time and passed to second reading without question.

Senate bill No. 142. Senator Patterson of Washington. A bill for an act to amend section 2330 of the laws of Oregon, etc.

Senator Patterson of Washington moved that the rules be suspended and that senate bill No. 142 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Dawson—2.

So the rules were suspended and senate bill No. 142 was read first time by title only and passed to second reading.

Senator Calbreath moved that the senate adjourn until 2:30 o'clock p. m. Monday.

Senators Dufur and McClung demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Gesner, Mackay, Michell, Mulkey, Patterson of Washington, Taylor and Mr. President—10.

Nays—Senators Daly, Driver, Dufur, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Patterson of Marion, Price, Reed, Selling, Smith and Wade—18.

Absent—Senators Brownell and Dawson—2.

So the motion was lost.

Senate bill No. 143. Senator Harmon (by request). A bill for an act to authorize the county court of Coos county to form a new justice of the peace district.

Senate bill No. 143 was read first time and passed to second reading without question.

On motion of Senator Patterson of Marion, the senate adjourned until Monday, January 25, at 2:30 o'clock p. m.

S. L. MOORHEAD,
Chief clerk.

MONDAY, JANUARY 25, 1897.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 25, 1897. }

The senate was called to order at 2:30 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Brownell, absent on account of illness, and Senator Carter.

The afternoon session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Dufur, the courtesies of the senate were extended to Judge W. L. Bradshaw, and he was invited to a seat within the bar.

On motion of Senator Calbreath, the reading of the journal of Friday's proceedings was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
SALEM, Oregon,
January 21, 1897. }

Mr. President :

I am directed by the temporary speaker of the house to notify you that the two messages transmitted to the senate, one advising the senate of the permanent organization of the house by the election of Hon. H. L. Benson as speaker, R. R. Hays as chief clerk, and other officers of the house, and the other transmitting what purports to be house concurrent resolution No. 1, providing for the appointment of a committee to notify the governor of the organization of the two houses, do not correctly advise the senate of the action taken in the house, and no such action has been legally or properly taken; that no permanent organization of the house has been perfected, and no resolution for the appointment of a committee to advise the governor of the organization of the two houses has been legally passed; that the pretended action of the house in pretending to effect a permanent organization, and in the passage of the concurrent resolution referred to, was had, taken and done at a time when no quorum of the house was present, and the said action of the house in pretending to effect such permanent organization, and in pretending to adopt said house concurrent resolution No. 1, was and is illegal and void, and had and done in contravention of the constitution of the state of Oregon, which requires the presence of a quorum of the members of the house to enable the house to transact its business or take such action, and that neither at the time when said pretended action was taken nor at any time since the first day of the session has there been a quorum present in the house. I am further directed by the temporary speaker of the house to notify you that the said pretended permanent organization of the house was not had, taken nor done in pursuance of or in succession to the temporary organization thereof, but in spite of and contrary to the said temporary organization, ignoring such temporary organization, and against the ruling and protest of the temporary speaker, and said pretended action was put to the house and declared carried by one or more persons claiming to be members of the house, and having no authority to preside over the same. These facts are transmitted to the senate for the consideration of your honorable body.

Very respectfully,

R. E. MOODY,
Temporary chief clerk.

Senate bill No. 144. Senator Mackay. A bill for an act to amend section 4194 of Hill's annotated laws of Oregon.

Senator Mackay moved that the rules be suspended and that senate bill No. 144 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 144 was read first time by title only and passed to second reading.

Senate bill No. 145. Senator Smith. A bill for an act incorporating Warrenton.

Senator Smith moved that the rules be suspended and that senate bill No. 145 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 145 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator King introduced senate resolution No. 15.

SENATE RESOLUTION NO. 15.

Whereas, there appears to be some question as to whether the house of representatives comprising the other branch of this legislative assembly has organized and is ready to proceed with the business; and

Whereas, there is one organization of such house claiming to be a temporary organization, duly organized as such, and one organization claiming to be permanent and duly organized; and

Whereas, the senate has not been notified by resolution or otherwise of such permanent organization; and

Whereas, this branch of the legislative assembly cannot perform the legislative duties for which its members were elected without the concurrence of the house of representatives on all bills and joint resolutions passing this body; and

Whereas, this branch of the legislative assembly has for two weeks been organized and ready for the transaction of business, and the cause of such delay on the part of the house of representatives has not been fully made known to this body; therefore

Resolved, That a committee of three members of the senate be appointed to examine into the conditions above set forth and ascertain whether or not either of the two pretended organizations in the house of representatives are legally organized branches of this assembly, and if so which of the two are so organized, and report the conditions thereof to the senate at as early a date as may be deemed practicable by said committee.

Senator King moved the adoption of the resolution.

Senators Johnson and Patterson of Marion demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Carter, Daly, Dawson, Holt, King, Mackay, Michell, Mulkey, Patterson of Washington, Reed, Selling, Smith, Wade and Mr. President — 14.

Nays — Senators Calbreath, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, McClung, Patterson of Marion, Price and Taylor — 14.

Absent — Senators Brownell and Carter — 2.

So the motion was lost.

Senate bill No. 146. Senator Reed. A bill for an act to protect hotel keepers and boarding-house keepers.

Senate bill No. 146 was read first time and passed to second reading without question.

Senate bill No. 147. Senator Bates. A bill for an act to provide for the collection of taxes in counties of more than 50,000 people.

Senator Bates moved that the rules be suspended and that senate bill No. 147 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Carter — 2.

So the rules were suspended and senate bill No. 148 was read first time by title only and passed to second reading.

The president stated to the senate that he had just received a communication purporting to be a message from the house, ad-

vising the senate of the permanent organization of the house by the election of Hon. H. L. Benson as speaker, R. R. Hayes as chief clerk, and other officers, and stating that the house was now permanently organized and ready to transact business. The president further stated that he had recently laid before the senate a message from the temporary organization of the house, showing how this alleged permanent organization had been effected, and showing that when such permanent organization was so effected the house was acting without the presence of a quorum of its members, and that its action was illegal, in violation of the constitution and of no effect. For these reasons, the president declined to receive or entertain the communication and ruled that the alleged permanent organization of the house would not be recognized by the senate.

Senate bill No. 148. Senator Smith. A bill for an act to amend "An act to incorporate the town of Clatsop."

Senator Smith moved that the rules be suspended and that senate bill No. 148 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 148 was read first time by title only and passed to second reading.

Senate bill No. 149. Senator Bates. A bill for an act regulating fraternal and beneficiary corporations, societies, orders and associations.

Senator Bates moved that the rules be suspended and that senate bill No. 149 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 149 was read first time by title only and passed to second reading.

Senate bill No. 150. Senator Wade. A bill for an act to amend

an act entitled an act to amend an act entitled an act to create the office of recorder of conveyances in the counties of Linn, Marion, Washington and Yamhill, etc.

Senator Wade moved that the rules be suspended and that senate bill No. 150 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 150 was read first time by title only and passed to second reading.

Senate bill No. 151. Senator McClung. A bill for an act to define and limit the jurisdiction and place of trial of actions in courts of justice of the peace.

Senate bill No. 151 was read first time and passed to second reading without question.

Senate bill No. 152. Senator McClung. A bill for an act to incorporate the city of Eugene.

Senator McClung moved that the rules be suspended and that senate bill No. 152 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 152 was read first time by title only and passed to second reading.

Senate bill No. 153. Senator Harmon. A bill for an act to define the right of way on public roads.

Senate bill No. 153 was read first time and passed to second reading without question.

Senate bill No. 154. Senator Gowan. A bill for an act to provide for assessing owners of sheep to provide funds for the destruction of wild animals

Senator Gowan moved that the rules be suspended and that senate bill No. 154 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Mr. President — 27.

Nays—None.

Absent—Senators Brownell, Carter and Wade—3.

So the rules were suspended and senate bill No. 154 was read first time by title only and passed to second reading.

Senate bill No. 155. Senator Gowan. A bill for an act to amend title VII of chapter II of the code of civil procedure of Hill's laws of Oregon, relating to exceptions and reporting trials in circuit courts.

Senator Gowan moved that the rules be suspended and that senate bill No. 155 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 155 was read first time by title only and passed to second reading.

Senate bill No. 156. Senator Gowan (by request). A bill for an act to repeal all acts requiring bonds on appeal by parties litigant in all suits, etc., in circuit, county and justice's courts.

Senator Gowan moved that the rules be suspended and that senate bill No. 156 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Reed—3.

So the rules were suspended and senate bill No. 156 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Gesner introduced senate joint resolution No. 3.

SENATE JOINT RESOLUTION NO. 3.

Whereas, the legislature of this state has, for several successive biennial sessions, made appropriations from the general fund for the support of the state university, the agricultural college, the Monmouth normal school and the Weston normal school; and

Whereas, there has been more or less criticism touching the disbursements of the funds thus appropriated; and

Whereas, there are no specific detailed reports before this body showing or explaining the facts complained of; and

Whereas, it is the province and duty of this body to take the necessary steps to obtain the requisite knowledge to fully explain the justice and necessity for such expenditures and to correct abuses, if any; therefore, be it

Resolved by the senate, the house concurring, That a joint committee, consisting of three members, one to be appointed by the president of the senate and two by the speaker of the house, be and hereby is created to investigate, consider and report all the facts necessary to give a full detailed report of the expenditures of the state funds, in the maintenance of said institutions of learning, including salaries of all the professors and tutors in the several departments, together with such other information as to the numbers of students in the several departments, with the average attendance in each, the established curriculum, and whatever may be helpful in furnishing a clear understanding of the disposition of the funds of the state.

It shall be the duty of said committee to call upon the proper officers of the said institutions to furnish a verified copy of the receipts and disbursements and such other information as may be required by the said committee, and the said committee is hereby authorized to employ one clerk, and if found necessary, visit such of the institutions as it shall be deemed expedient; clerk hire shall not exceed \$3 per diem and not for more than fifteen days; all necessary and actual traveling expenses and no more shall be duly audited and paid.

Senator Gesner moved the adoption of the resolution.

Senator Holt moved that the resolution be laid on the table.

The motion prevailed.

Senate bill No. 43 coming on for second reading, Senator Bates moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson

of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Carter — 2.

So the rules were suspended and senate bill No. 43 was read second time by title only.

Senate bill No. 43 was referred to a select committee, consisting of the senators from Multnomah county.

Senate bill No. 44 coming on for second reading, Senator Michell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Carter — 2.

So the rules were suspended and senate bill No. 44 was read second time by title only.

On motion of Senator Michell, senate bill No. 44 was referred to the committee on commerce and navigation.

Senate bill No. 45 coming on for second reading, Senator Driver moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Brownell, Carter and King — 3.

So the rules were suspended and senate bill No. 45 was read second time by title only.

Senate bill No. 45 was referred to the committee on judiciary.

Senate bill No. 46 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson,

King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 46 was read second time by title only.

Senate bill No. 46 was referred to the committee on railroads.

Senate bill No. 47 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 47 was read second time by title only.

Senate bill No. 47 was referred to the committee on roads and highways.

Senate bill No. 48 coming on for second reading was read second time.

Senate bill No. 48 was referred to the committee on municipal corporations.

Senate bill No. 49 coming on for second reading, Senator Haseltine moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 49 was read second time by title only.

Senate bill No. 49 was referred to the committee on assessment and taxation.

Senate bill No. 50 coming on for second reading was read second time.

of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Carter — 2.

So the rules were suspended and senate bill No. 43 was read second time by title only.

Senate bill No. 43 was referred to a select committee, consisting of the senators from Multnomah county.

Senate bill No. 44 coming on for second reading, Senator Michell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Carter — 2.

So the rules were suspended and senate bill No. 44 was read second time by title only.

On motion of Senator Michell, senate bill No. 44 was referred to the committee on commerce and navigation.

Senate bill No. 45 coming on for second reading, Senator Driver moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Brownell, Carter and King — 3.

So the rules were suspended and senate bill No. 45 was read second time by title only.

Senate bill No. 45 was referred to the committee on judiciary.

Senate bill No. 46 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson,

King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 46 was read second time by title only.

Senate bill No. 46 was referred to the committee on railroads.

Senate bill No. 47 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 47 was read second time by title only.

Senate bill No. 47 was referred to the committee on roads and highways.

Senate bill No. 48 coming on for second reading was read second time.

Senate bill No. 48 was referred to the committee on municipal corporations.

Senate bill No. 49 coming on for second reading, Senator Haseltine moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 49 was read second time by title only.

Senate bill No. 49 was referred to the committee on assessment and taxation.

Senate bill No. 50 coming on for second reading was read second time.

Senate bill No. 50 was referred to the committee on assessment and taxation.

Senate bill No. 51 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 51 was read second time by title only.

Senate bill No. 51 was referred to the committee on roads and highways.

Senate bill No. 52 coming on for second reading was read second time.

Senate bill No. 52 was referred to the committee on counties.

Senate bill No. 53 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 53 was read second time by title only.

Senate bill No. 53 was referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 54 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion,

Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 54 was read second time by title only.

Senate bill No. 54 was referred to the committee on judiciary.

Senate bill No. 55 coming on for second reading, Senator Michell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 55 was read second time by title only.

On motion of Senator Michell, senate bill No. 55 was referred to the committee on judiciary.

Senate bill No. 56 coming on for second reading was read second time.

Senate bill No. 56 was referred to the committee on assessment and taxation.

Senate bill No. 57 coming on for second reading, Senator Smith moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Hobson—3.

So the rules were suspended and senate bill No. 57 was read second time by title only.

Senate bill No. 57 was referred to the committee on judiciary.

Senate bill No. 58 coming on for second reading, Senator McClung moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Holt, Hobson, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Hughes—3.

So the rules were suspended and senate bill No. 58 was read second time by title only.

Senate bill No. 58 was referred to the committee on counties.

Senate bill No. 59 coming on for second reading was read second time.

Senate bill No. 59 was referred to the committee on judiciary.

Senate bill No. 60 coming on for second reading was read second time.

Senate bill No. 60 was referred to the committee on judiciary.

Senate bill No. 61 coming on for second reading was read second time.

Senate bill No. 61 was referred to the committee on revision of laws.

Senate bill No. 62 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 62 was read second time by title only.

Senate bill No. 62 was referred to the committee on counties.

Senate bill No. 63 coming on for second reading was read second time.

Senate bill No. 63 was referred to the committee on mining.

Senate bill No. 64 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Hobson, Holt, Hughes, Johnson, King, Mackay,

McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Haseltine—3.

So the rules were suspended and senate bill No. 64 was read second time by title only.

Senate bill No. 64 was referred to the committee on judiciary.

Senate bill No. 65 coming on for second reading was read second time.

Senate bill No. 65 was referred to the committee on roads and highways.

Senate bill No. 66 coming on for second reading, Senator Price moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 66 was read second time by title only.

Senate bill No. 66 was referred to the committee on claims.

Senate bill No. 67 coming on for second reading, Senator Mackay moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 67 was read second time by title only.

Senate bill No. 67 was referred to the committee on revision of laws.

Senate bill No. 68 coming on for second reading, Senator Mackay moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 68 was read second time by title only.

Senate bill No. 68 was referred to the committee on judiciary.

Senate bill No. 69 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 69 was read second time by title only.

Senate bill No. 69 was referred to the committee on judiciary.

Senate bill No. 70 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 70 was read second time by title only.

On motion of Senator Calbreath, senate bill No. 70 was referred to a select committee, consisting of the senators from counties affected.

Senate bill No. 71 coming on for second reading, Senator

Smith moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Brownell, Carter and Mulkey — 3.

So the rules were suspended and senate bill No. 71 was read second time by title only.

Senate bill No. 71 was referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 72 coming on for second reading was read second time.

On motion of Senator Gowan, senate bill No. 72 was ordered engrossed, and passed to third reading.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, JANUARY 26, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1897. }

The senate was called to order at 10 o'clock a. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of illness, and Senators Carter and Hughes.

On motion of Senator Dawson, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 73 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Daly, Dawson, Driver, Dufur, Gesner, Harmon,

Haseltine, Hobson, Holt, Johnson, King, Mackay, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—22.

Nays—None.

Absent—Senators Brownell, Calbreath, Carter, Gowan, Hughes, McClung, Mulkey and Smith—8.

So the rules were suspended and senate bill No. 73 was read second time by title only.

Senate bill No. 73 was referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 74 coming on for second reading was read second time.

Senate bill No. 74 was referred to the committee on revision of laws.

Senate bill No. 75 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mackay, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—23.

Nays—None.

Absent—Senators Brownell, Carter, Gowan, Hughes, McClung and Smith—7.

So the rules were suspended and senate bill No. 75 was read second time by title only.

Senate bill No. 75 was referred to the committee on commerce and navigation.

Senate bill No. 76 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Carter, Gowan, Hughes, McClung and Smith—6.

So the rules were suspended and senate bill No. 76 was read second time by title only.

Senate bill No. 76 was referred to the committee on education.

Senate bill No. 77 coming on for second reading was read second time.

Senate bill No. 77 was referred to the committee on judiciary.

Senate bill No. 78 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President — 25.

Nays — None.

Absent — Senators Brownell, Carter, Gowan, Hughes and Smith — 5.

So the rules were suspended and senate bill No. 78 was read second time by title only.

Senate bill No. 78 was referred to the committee on revision of laws.

Senate bill No. 79 coming on for second reading was read second time.

Senate bill No. 79 was referred to the committee on judiciary.

Senate bill No. 80 coming on for second reading was read second time.

Senate bill No. 80 was referred to the committee on assessment and taxation.

Senate bill No. 81 coming on for second reading, Senator Mackay moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gowan, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President — 25.

Nays — None.

Absent — Senators Brownell, Carter, Gesner, Hughes and Smith — 5.

So the rules were suspended and senate bill No. 81 was read second time by title only.

Senate bill No. 81 was referred to the committee on judiciary.

Senate bill No. 82 coming on for second reading, Senator Mackay moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Carter, Gowan, Hughes and Smith—5.

So the rules were suspended and senate bill No. 82 was read second time by title only.

Senate bill No. 82 was referred to the committee on judiciary.

Senate bill No. 83 coming on for second reading was read second time.

Senate bill No. 83 was referred to the committee on counties.

Senate bill No. 84 coming on for second reading was read second time.

Senate bill No. 84 was referred to the committee on education.

Senate bill No. 85 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gowan, Harmon, Haseltine, Hobson, Holt, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Carter, Gesner, Hughes and King—5.

So the rules were suspended and senate bill No. 85 was read second time by title only.

Senate bill No. 85 was referred to the committee on revision of laws.

Senate bill No. 86 coming on for second reading was read second time.

Senate bill No. 86 was referred to the committee on penal institutions.

Senate bill No. 87 coming on for second reading, Senator Selling moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mackay,

McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Carter, Gowan, Hughes and Reed—5.

So the rules were suspended and senate bill No. 87 was read second time by title only.

Senate bill No. 87 was referred to the committee of penal institutions.

Senate bill No. 88 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Carter, Gowan, Hughes and Reed—5.

So the rules were suspended and senate bill No. 88 was read second time by title only.

Senate bill No. 88 was referred to the committee on revision of laws.

Senate bill No. 89 coming on for second reading was read second time.

Senate bill No. 89 was referred to the committee on counties.

Senate bill No. 157. Senator Taylor (by request, by unanimous consent). A bill for an act to amend section 2816 of title VI of chapter XVII of Hill's laws of Oregon.

Senator Taylor moved that the rules be suspended and that senate bill No. 157 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—26.

Absent—Senators Brownell, Carter, Hughes and Smith—4.

So the rules were suspended and senate bill No. 157 was read first time by title only and passed to second reading.

Senator Price introduced senate petition No. 10.

SENATE PETITION NO. 10.

To the honorable members of the senate and house of representatives of the state of Oregon:

We, the undersigned citizens, men and women of Arlington and Gilliam county, state of Oregon, do most respectfully petition your honorable body to so amend the charter of Eugene, and other cities where state colleges or normal schools are located, as to prohibit the licensing of saloons within their limits.

We pray this because the saloon exerts a demoralizing influence upon the students for whose education the citizens are taxed. (Signed by many petitioners.)

On motion of Senator Price, the petition was referred to the committee on education.

Senator Gowan, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 25, 1897. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 42, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. GOWAN,
Chairman.

On motion of Senator Gowan, senate bill No. 42 was ordered engrossed and passed to third reading.

Senator Gowan, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
January 25, 1897. }

Mr. President:

Your committee on judiciary, to whom was referred senate resolution No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. GOWAN,
Chairman.

On motion of Senator Gowan, senate resolution No. 13 was ordered engrossed and to third reading.

On motion of Senator Johnson, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 26, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Brownell, who was still sick, and Senator Price, absent on leave.

Senate bill No. 158. Senator Holt. A bill for an act to amend section 3 of an act entitled "An act fixing the time for holding elections."

Senator Holt moved that the rules be suspended and that senate bill No. 158 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Michell, Mulkey and Price—4.

So the rules were suspended and senate bill No. 158 was read first time by title only and passed to second reading.

Senate bill No. 159. Senator King (by request). A bill for an act to regulate the practice of medicine and surgery in the state of Oregon, etc.

Senator King moved that the rules be suspended and that senate bill No. 159 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent — Senators Brownell, Mulkey and Price — 3.

So the rules were suspended and senate bill No. 159 was read first time by title only and passed to second reading.

Senate bill No. 160. Senator Gesner. A bill for an act to prohibit the maintenance of saloons and sale of liquors near the soldiers' home.

Senator Gesner moved that the rules be suspended and that senate bill No. 160 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Smith, Taylor, Wade and Mr. President — 26.

Nays — None.

Absent — Senators Brownell, Daly, Dawson and Reed — 4.

So the rules were suspended and senate bill No. 160 was read first time by title only and passed to second reading.

Senate bill No. 161. Senator Smith (by request). A bill for an act to authorize attorneys to administer oaths and take acknowledgements.

Senate bill No. 161 was read first time and passed to second reading without question.

Senate bill No. 162. Senator Selling. A bill for an act to provide for the recording of certified copies of deeds and patents.

Senate bill No. 162 was read first time and passed to second reading without question.

Senator bill No. 163. Senator Gesner. A bill for an act to amend sections 2273 and 2274 of title II of chapter IV of volume II of the code, relating to the boundary lines of Marion and adjoining counties.

Senator Gesner moved that the rules be suspended and that senate bill No. 163 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President — 25.

Nays — None.

Absent — Senators Brownell, Daly, Dawson, Mackay and Price — 5.

So the rules were suspended and senate bill No. 163 was read first time by title only and passed to second reading.

Senate bill No. 164. Senator McClung. A bill for an act to cure defects in title to real property purchased at administrators' or executors' sale.

Senate bill No. 164 was read first time and passed to second reading without question.

Senate bill No. 165. Senator Holt. A bill for an act to exempt homesteads from attachment and judicial sale.

Senator Holt moved that the rules be suspended and that senate bill No. 165 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Daly, Dawson and Price—4.

So the rules were suspended and senate bill No. 165 was read first time by title only and passed to second reading.

Senate bill No. 166. Senator Johnson. A bill for an act to amend an act relating to salaries of county treasurers of the state and the county judge of Lincoln county.

Senator Johnson moved that the rules be suspended and that senate bill No. 166 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Daly, Dawson and Price—4.

So the rules were suspended and senate bill No. 166 was read first time by title only and passed to second reading.

Senate bill No. 167. Senator Reed (by request). A bill for an act to provide for the erection of certain buildings and for making certain improvements at soldiers' home and making appropriation therefor.

Senate bill No. 167 was read first time and passed to second reading without question.

Senate bill No. 168. Senator Holt. A bill for an act providing for the relocation of county seats.

Senator Holt moved that the rules be suspended and that senate bill No. 168 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Dawson and Price—3.

So the rules were suspended and senate bill No. 168 was read first time by title only and passed to second reading.

Senate bill No. 169. Senator Johnson. A bill for an act to amend an act relating to the salaries of clerks, recorders and sheriffs in the several counties of the state.

Senator Johnson moved that the rules be suspended and that senate bill No. 169 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Dawson and Price—3.

So the rules were suspended and senate bill No. 169 was read first time by title only and passed to second reading.

Senate bill No. 170. Senator Holt. A bill for an act to facilitate the collection of taxes in certain cases.

Senate bill No. 170 was read first time and passed to second reading without question.

Senate bill No. 171. Senator Johnson. A bill for an act to amend an act relating to the salaries of county judges in the several counties of the state.

Senator Johnson moved that the rules be suspended and that senate bill No. 171 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2.

So the rules were suspended and senate bill No. 171 was read first time by title only and passed to second reading.

On motion of Senator King, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, JANUARY 27, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of illness, and Senator Price, absent on leave.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Patterson of Washington, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 172. Senator King. A bill for an act to amend an act entitled an act to provide for the organization and government of irrigation districts, etc.

Senator King moved that the rules be suspended and that senate bill No. 172 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Calbreath, Carter and Price—4.

So the rules were suspended and senate bill No. 172 was read first time by title only and passed to second reading.

Senate bill No. 173. Senator Gesner. A bill for an act to amend section 2341 of the general laws of Oregon, etc.

Senator Gesner moved that the rules be suspended and that senate bill No. 173 be read first time by title only.

On this question the roll was called and the vote was:

Absent—Senators Brownell, Dufur, Haseltine, Price and Smith—5.

So the rules were suspended and senate bill No. 178 was read first time by title only and passed to second reading.

Senate bill No. 179. Senator Carter (by request). A bill for an act to authorize the county court of Benton county to establish and maintain a free ferry.

Senator Carter moved that the rules be suspended and that senate bill No. 179 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Dufur, Hobson and Price—4.

So the rules were suspended and senate bill No. 179 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Daly introduced senate joint resolution No. 4.

SENATE JOINT RESOLUTION NO. 4.

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF OREGON.

Resolved, That the following amendment be and the same hereby is proposed to the constitution of the state of Oregon:—

That section 17 of article II of the constitution of the state of Oregon be amended so as to read as follows:

Sec. 17. All qualified electors shall vote only in the election precinct where they have resided for sixty days next preceding the election, and the legislative assembly may by law require such elector to register before being entitled to vote in such precinct.

The resolution was ordered printed.

Senate bill No. 90 coming on for second reading, Senator Harmon moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2.

So the rules were suspended and senate bill No. 90 was read second time by title only.

Senate bill No. 90 was referred to the committee on counties.

Unanimous consent being given, Senator Dufur introduced senate petition No. 11.

SENATE PETITION NO. 11.

To the honorable members of the state legislature of Oregon:

Inasmuch as the cigarette is injuring morally, mentally and physically a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned, parents, educators and physicians, ask your most honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment. (Signed by many petitioners).

The petition was referred to the committee on education.

Unanimous consent being given, Senator Harmon introduced senate petition No. 12.

SENATE PETITION NO. 12.

To the honorable members of the state legislature of Oregon:

Inasmuch as the cigarette is injuring morally, mentally and physically, a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned parents, educators and physicians, ask your most honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment. (Signed by many petitioners).

The petition was referred to the committee on education.

Senate bill No. 91 coming on for second reading, Senator Smith moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Calbreath and Price—3.

So the rules were suspended and senate bill No. 91 was read second time by title only.

Senate bill No. 91 was referred to the committee on fishing industries.

Senate bill No. 92 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2

So the rules were suspended and senate bill No. 92 was read second time by title only.

Senate bill No. 92 was referred to the committee on judiciary.

Senate bill No. 93 coming on for second reading, Senator Bates moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Gowan and Price—3.

So the rules were suspended and senate bill No. 93 was read second time by title only.

Senate bill No. 93 was referred to the committee on judiciary.

Senate bill No. 94 coming on for second reading was read second time.

Senate bill No. 94 was referred to the committee on fishing industries.

Senate bill No. 95 coming on for second reading was read second time.

Senate bill No. 95 was referred to the committee on judiciary.

Senate bill No. 96 coming on for second reading was read second time.

Senate bill No. 96 was referred to the committee on education.

Senate bill No. 97 coming on for second reading was read second time.

Senate bill No. 97 was referred to the committee on counties.

Senate bill No. 98 coming on for second reading, Senator King moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2.

So the rules were suspended and senate bill No. 98 was read second time by title only.

Senate bill No. 98 was referred to the committee on assessment and taxation.

Senate bill No. 99 coming on for second reading, Senator Daly moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2.

So the rules were suspended and senate bill No. 99 was read second time by title only.

Senate bill No. 99 was referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 100 coming on for second reading, Senator Mulkey moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2.

So the rules were suspended and senate bill No. 100 was read second time by title only.

Senate bill No. 100 was referred to the committee on elections.

Senate bill No. 101 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2.

So the rules were suspended and senate bill No. 101 was read second time by title only.

Senate bill No. 101 was referred to a select committee, consisting of the senators from Linn county.

Senate bill No. 102 coming on for second reading was read second time.

Senate bill No. 102 was referred to the committee on fishing industries.

Senate bill No. 103 coming on for second reading, Senator Patterson of Washington moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2.

So the rules were suspended and senate bill No. 103 was read second time by title only.

Senate bill No. 103 was referred to a select committee, consisting of the senators from Washington county.

Senate bill No. 104 coming on for second reading was read second time.

Senate bill No. 104 was referred to the committee on judiciary.

Senate bill No. 105 coming on for second reading, Senator Patterson of Marion moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Price—2.

So the rules were suspended and senate bill No. 105 was read second time by title only.

Senate bill No. 105 was referred to the committee on penal institutions.

Senate bill No. 106 coming on for second reading, Senator Haseltine moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Daly, Mackay and Price—4.

So the rules were suspended and senate bill No. 106 was read second time by title only.

Senate bill No. 106 was referred to the committee on public buildings and institutions.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 27, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of illness.

Senate bill No. 107 coming on for second reading was read second time.

Senate bill No. 107 was referred to a select committee, consisting of the senators from Marion county.

Senate bill No. 108 coming on for second reading, Senator Selling moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Mulkey—2.

So the rules were suspended and senate bill No. 108 was read second time by title only.

Senate bill No. 108 was referred to the committee on judiciary.

Senate bill No. 109 coming on for second reading, Senator King moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Mulkey—2.

So the rules were suspended and senate bill No. 109 was read second time by title only.

Senate bill No. 109 was referred to the committee on railroads.

Senate bill No. 110 coming on for second reading, Senator Daly moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Mulkey and Patterson of Marion—3

So the rules were suspended and senate bill No. 110 was read second time by title only.

On motion of Senator Daly, senate bill No. 110 was referred to the committee on judiciary.

Senate bill No. 112 coming on for second reading was read second time.

Senate bill No. 112 was referred to the committee on revision of laws.

Senate bill No. 113 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and King — 2.

So the rules were suspended and senate bill No. 113 was read second time by title only.

Senate bill No. 113 was referred to the committee on counties.

Senate bill No. 114 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and King — 2.

So the rules were suspended and senate bill No. 114 was read second time by title only.

Senate bill No. 114 was referred to the committee on judiciary.

Senate bill No. 115 coming on for second reading was read second time.

Senate bill No. 115 was referred to the committee on revision of laws.

Senate bill No. 116 coming on for second reading was read second time.

Senate bill No. 116 was referred to the committee on judiciary.

Senate bill No. 117 coming on for second reading, Senator Smith moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Brownell, Harmon and King — 3.

So the rules were suspended and senate bill No. 117 was read second time by title only.

Senate bill No. 117 was referred to the committee on counties.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, JANUARY 28, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1897. }

The senate was called to order at 10 o'clock a. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senators Brownell and McClung, who were absent on account of illness, and Senator King.

The morning session of the senate was opened with prayer by Rev. J. Muellhaupt of the German Reformed church.

On motion of Senator Gowan, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 180. Senator Driver (by request, by unanimous consent). A bill for an act to confer upon the Eugene divinity school the power to confer upon the students such degrees and diplomas as they may deem fit.

Senate bill No. 180 was read first time and passed to second reading without question.

Senator Driver moved that the rules be suspended and that senate bill No. 180 be read second time now and by title only.

Senator Michell moved that the motion be laid on the table.

The motion prevailed.

Senate bill No. 181. Senator Price (by request, by unanimous

consent). A bill for an act to establish attorney's fees in promissory notes.

Senate bill No. 181 was read first time and passed to second reading without question.

Unanimous consent being given, Senator Dufur introduced senate resolution No. 17.

SENATE RESOLUTION NO. 17.

Whereas, under senate rule 18, governing proceedings of the senate, in the matter of printing bills, memorials and joint resolutions, it is provided that "All bills, memorials and joint resolutions shall be sent to the state printer and be printed, without a direct vote of the senate, unless otherwise ordered," and further, under said rule 18, "There shall be printed for the use of the two houses 250 copies of every such bill, memorial and joint resolution, unless the senate shall order a greater or less number"; and

Whereas, the president of the senate has decided that the house of representatives is not constitutionally organized, and has not such legal status to entitle it to recognition by the senate, which decision has received the silent assent of all the members of the senate; and

Whereas, unless the duly elected members of the house of representatives shall within 40 days next following the eleventh day of January, 1897, organize in a manner that will dispel all doubts as to the constitutionality of such organization; and

Whereas, unless such organization is effected within the time aforesaid, each and every bill, memorial and joint resolution, now introduced in the senate, and which may be hereafter introduced therein, will be of no practical utility or effect; and

Whereas, 179 bills and many memorials and joint resolutions have been already introduced; and

Whereas, it is the undivided opinion of the senate that economy should be the guiding star and watchword of this body and an economical policy, strictly followed; therefore, be it

Resolved, That hereafter, and until otherwise ordered, no bill, memorial or joint resolution shall go to the state printer, or be by him printed at the expense of the state.

The president ruled this resolution was intended to and if adopted would reverse standing rule 18 of the senate, and therefore one day's previous notice thereof must be given.

Senator Dufur thereupon notified the senate that on tomorrow he would present the resolution for the consideration of the senate.

Senate bill No. 182. Senator Holt. A bill for an act to fix the compensation of judge, clerk, deputy clerk, sheriff, deputy

sheriff, treasurer, school superintendant, recorder and assessor of Jackson county, Oregon.

Senator Holt moved that the rules be suspended and that senate bill No. 182 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, King and McClung—3.

So the rules were suspended and senate bill No. 182 was read first time by title only and passed to second reading.

Senator Selling moved that 240 copies only be printed of senate bill No. 182.

The motion prevailed.

Senate bill No. 183. Senator Holt (by unanimous consent). A bill for an act to fix the compensation of the district attorney and deputy district attorneys of the first judicial district of the state of Oregon.

Senator Holt moved that the rules be suspended and that senate bill No. 183 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, King, McClung and Patterson of Marion—4.

So the rules were suspended and senate bill No. 183 was read first time by title only and passed to second reading.

Senator Selling moved that 240 copies only be printed of senate bill No. 183.

The motion prevailed.

Unanimous consent being given, Senator Haseltine introduced senate joint memorial No. 3.

SENATE JOINT MEMORIAL NO. 3.

Resolved by the senate, the house concurring—To the congress of the United States: We, your memorialists, respectfully represent that during the years 1847 and 1848, and from 1850 to 1857, war

was made upon the white settlers of the territories of Oregon, Washington, Idaho and Northern California, which, though known as the Cayuse war of 1847 and 1848 and Rogue River disturbances of 1851, 1852, 1853 and 1854, and the Yakima and Rogue River Indian wars of 1855 and 1856, respectively, was in fact a collusive effort on the part of all the Indian tribes of the North Pacific coast to exterminate the American settlements.

During these dark days of the little colony on this coast, 1,800 men, women and children were brutally murdered by these Indians. The territorial authorities called out a volunteer force who in the main furnished their own horses, guns and ammunition. They were poorly clad and often went without food.

Forty and fifty years have come and gone since these memorable struggles, in which over one hundred battles were fought and the very existence of the early settlers was threatened. All told, 7,000 of these brave pioneers were at one time or another enlisted in defense of this land, and most of them have gone to their long home. The remnant, a relic of the past, are aged and infirm and many of them poor and destitute. To them it seems strange that others who fought in the wars before them and those who fought in the wars subsequent to these services should be pensioned and they left without a pension and their labors and sufferings be unrecognized. We earnestly plead their cause. Their claim is a just one and appeals to every patriotic citizen of America.

We earnestly ask Hon. Thomas B. Reed, speaker of the house of representatives, and the members of said house of representatives to secure the passage this session of pension bill No. 2231 as it came to them from the senate.

This government never had more loyal citizens, truer friends or more heroic and nobler defenders than these pioneers and veterans; therefore, be it

Resolved, That our representatives in congress each be forwarded a copy of this memorial and ask their earnest service in securing the justice herein prayed for.

Senator Selling moved that 240 copies only be printed of senate joint resolution No. 3.

The motion prevailed.

Unanimous consent being given, Senator Haseltine introduced senate joint resolution No. 5.

SENATE JOINT RESOLUTION NO. 5.

Whereas, the pioneer and Indian war veterans of Oregon are rapidly passing away; and

Whereas, the larger portion of the early history of the settlement and Indian wars of this state is unwritten and is treasured

in the mind and memory of these early pioneers, where it will perish unless by some means they can be induced to reduce the same to writing; therefore, be it

Resolved by the senate, the house concurring, That the secretary of state be and is hereby authorized and empowered to turn over to the grand commander of the Indian war veterans of the north Pacific coast so many copies as may be necessary, not to exceed 300 copies, of the book entitled "The Early Indian Wars of Oregon," published by the state, as authorized by house concurrent resolution No. 22, senate journal 1891, page 641, to be used and given away by said grand commander to pioneers and veterans of the Indian wars who have had the largest experience in the early history of Oregon and who pledge beforehand to him to write out and correct all errors and supply omissions, etc., they may find in said history and give the fullest history of all facts, incidents and experiences within their own knowledge and send same to him that it may be preserved from oblivion and that material may thus be gathered while those men live who made history, that justice may be done to the pioneers and veterans, that the whole state of Oregon will in years after be proud of.

Senator Selling moved that 240 copies only be printed of senate joint resolution No. 5.

The motion prevailed.

Unanimous consent being given, Senator Harmon introduced petition No. 13, remonstrating against the division of Coos county.

The petition was referred to the committee on counties.

Senate bill No. 184. Senator Gesner (by unanimous consent). A bill for an act to amend section 84 of an act filed in the secretary of state's office March 1, 1895.

Senator Gesner moved that the rules be suspended and that senate bill No. 184 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President— 25.

Nays— None.

Absent— Senators Brownell, Dufur, King, McClung and Patterson of Marion— 5.

So the rules were suspended and senate bill No. 184 was read first time by title only and passed to second reading.

Senator Johnson moved that 240 copies only be printed of all senate bills, resolutions, joint resolutions, memorials and joint memorials introduced today.

The motion prevailed.

Senate bill No. 185. Senator Harmon (by unanimous consent). A bill for an act to prescribe the fees of witnesses in Jackson and Josephine counties.

Senate bill No. 185 was read first time and passed to second reading without question.

Senator Selling notified the senate that tomorrow he would present a resolution to the senate to change rule 18.

Senate bill No. 186. Senator Mulkey for Senator Brownell (by request, by unanimous consent). A bill for an act for the protection of lines of electric lighting and powers and cables, and property belonging thereto.

Senator Mulkey moved that the rules be suspended and that senate bill No. 186 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Dufur, King, McClung and Patterson of Marion—5.

So the rules were suspended and senate bill No. 186 was read first time by title only and passed to second reading.

Senate bill No. 187. Senator Mulkey (by unanimous consent). A bill for an act to amend an act incorporating the town of Falls City.

Senator Mulkey moved that the rules be suspended and that senate bill No. 187 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Dufur, King, McClung and Patterson of Marion—5.

So the rules were suspended and senate bill No. 187 was read first time by title only and passed to second reading.

Senate bill No. 188. Senator Hobson (by unanimous consent). A bill for an act to amend section 2599 of title IV of Hill's laws of Oregon, relating to the time of holding annual school elections.

Senator Hobson moved that the rules be suspended and that senate bill No. 188 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Dufur, King, McClung, Patterson of Marion and Smith—6.

So the rules were suspended and senate bill No. 188 was read first time by title only and passed to second reading.

Senate bill No. 189. Senator Patterson of Washington (by unanimous consent). A bill for an act fixing the fees of the county clerk of Tillamook county.

Senator Patterson moved that the rules be suspended and that senate bill No. 189 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Reed, Selling, Taylor, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion, Price and Smith—6.

So the rules were suspended and senate bill No. 189 was read first time by title only and passed to second reading.

On motion of Senator Johnson, the courtesies of the senate were extended to Hon. Jeff Myers, and he was invited to a seat within the bar.

Senate bill No. 118 coming on for second reading, Senator Dawson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion and Price—5.

So the rules were suspended and senate bill No. 118 was read first time by title only.

Senate bill No. 118 was referred to the committee on assessment and taxation.

Senate bill No. 119 coming on for second reading, Senator

Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Selling, Smith, Taylor, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion, Price and Reed—6.

So the rules were suspended and senate bill No. 119 was read second time by title only.

Senate bill No. 119 was referred to the committee on counties.

Senate bill No. 120 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion and Price—5.

So the rules were suspended and senate bill No. 120 was read second time by title only.

Senate bill No. 120 was referred to the committee on education.

Senate bill No. 121 coming on for second reading was read second time.

Senate bill No. 121 was referred to the committee on claims.

Senate bill No. 122 coming on for second reading was read second time.

Senate bill No. 122 was referred to the committee on revision of laws.

Senate bill No. 123 coming on for second reading was read second time.

Senate bill No. 123 was referred to the committee on counties.

Senate bill No. 124 coming on for second reading was read second time.

Senate bill No. 124 was referred to the committee on fishing industries.

Senate bill No. 125 coming on for second reading was read second time.

Senate bill No. 125 was referred to the committee on revision of laws.

Senate bill No. 126 coming on for second reading was read second time.

Senate bill No. 126 was referred to the committee on judiciary.

Senate bill No. 127 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Reed, Selling, Taylor, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion, Price and Smith—6.

So the rules were suspended and senate bill No. 127 was read second time by title only.

Senate bill No. 127 was referred to the committee on horticulture.

Senate bill No. 128 coming on for second reading was read second time.

Senate bill No. 128 was referred to the committee on counties.

Senate bill No. 129 coming on for second reading, Senator Driver moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion and Price—5.

So the rules were suspended and senate bill No. 129 was read second time by title only.

Senate bill No. 129 was referred to the committee on public buildings and institutions.

Senate bill No. 130 coming on for second reading, Senator Driver moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Du-

fur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion and Price—5.

So the rules were suspended and senate bill No. 130 was read second time by title only.

Senate bill No. 130 was referred to the committee on education.

Senate bill No. 131 coming on for second reading, Senator Mulkey moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Reed, Selling, Taylor, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion, Price and Smith—6.

So the rules were suspended and senate bill No. 131 was read second time by title only.

Senate bill No. 131 was referred to the committee on roads and highways.

Senate bill No. 132 coming on for second reading, Senator Wade moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Washington, Selling, Smith, Taylor, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, King, McClung, Patterson of Marion, Price and Reed—6.

So the rules were suspended and senate bill No. 132 was read second time by title only.

Senate bill No. 132 was referred to the committee on railroads.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Brownell and McClung, who were absent on account of illness, and Senator King.

Senate bill No. 133 coming on for second reading, Senator Michell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, King, McClung and Smith—4.

So the rules were suspended and senate bill No. 133 was read second time by title only.

Senate bill No. 133 was referred to the committee on judiciary.

Senate bill No. 134 coming on for second reading was read second time.

Senate bill No. 134 was referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 135 coming on for second reading was read second time.

Senate bill No. 135 was referred to the committee on revision of laws.

Senate bill No. 136 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, King, McClung and Smith—4.

So the rules were suspended and senate bill No. 136 was read second time by title only.

Senate bill No. 136 was referred to the committee on revision of laws.

Senate bill No. 137 coming on for second reading, Senator Haseltine moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Gesner, King, McClung and Smith—5.

So the rules were suspended and senate bill No. 137 was read second time by title only.

Senate bill No. 137 was referred to the committee on revision of laws.

Senate bill No. 138 coming on for second reading, Senator Harmon moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, King, McClung and Smith—4.

So the rules were suspended and senate bill No. 138 was read second time by title only.

Senate bill No. 138 was referred to the committee on fishing industries.

Senate bill No. 139 coming on for second reading, Senator Reed moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, King and McClung—3.

So the rules were suspended and senate bill No. 139 was read second time by title only.

Senate bill No. 139 was referred to the committee on education.

Senate bill No. 140 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, King and McClung—3.

So the rules were suspended and senate bill No. 140 was read second time by title only.

Senate bill No. 140 was referred to the committee on counties.

Senate bill No. 141 coming on for second reading was read second time.

Senate bill No. 141 was referred to the committee on education.

Senate bill No. 142 coming on for second reading, Senator Patterson of Washington moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, King and McClung—3.

So the rules were suspended and senate bill No. 142 was read second time by title only.

Senate bill No. 142 was referred to the committee on revision of laws.

Senate bill No. 143 coming on for second reading, Senator Harmon moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes,

Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, King and McClung—3.

So the rules were suspended and senate bill No. 143 was read second time by title only.

Senate bill No. 143 was referred to the committee on revision of laws.

Senate bill No. 144 coming on for second reading, Senator Mackay moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, King and McClung—3.

So the rules were suspended and senate bill No. 144 was read second time by title only.

Senate bill No. 144 was referred to the committee on revision of laws.

On motion of Senator Hughes, the senate adjourned until Monday, February 1, at 2:30 o'clock p. m.

S. L. MOORHEAD,
Chief clerk.

MONDAY, FEBRUARY 1, 1897.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 1, 1897. }

The senate was called to order at 2:30 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Brownell, who was absent on account of illness, and Senator Carter.

On motion of Senator Gowan, the reading of the journal of Thursday's proceedings was dispensed with.

Senate bill No. 145 coming on for second reading, Senator Smith moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Holt, Hughes, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—23.

Nays—None.

Absent—Senators Brownell, Carter, Dufur, Hobson, Johnson, Mackay and Price—7.

So the rules were suspended and senate bill No. 145 was read second time by title only.

Senate bill No. 145 was referred to the committee on municipal corporations.

Unanimous consent being given, Senator Selling introduced senate resolution No. 18.

SENATE RESOLUTION NO. 18.

Resolved, That rule eighteen (18) of the rules of the senate be amended as follows:—

Rule 18. All bills, memorials and joint resolutions shall be sent to the state printer, and be printed without a direct vote of the senate, unless otherwise ordered. There shall be printed for the use of the two houses two hundred and forty copies of every such bill, memorial and joint resolution, unless the senate shall order a greater or less number.

On motion of Senator Selling, the resolution was adopted.

Senate bill No. 146 coming on for second reading was read second time.

Senate bill No. 146 was referred to the committee on revision of laws.

Senate bill No. 147 coming on for second reading, Senator Bates moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Carter, Dufur and Mackay—4.

So the rules were suspended and senate bill No. 147 was read second time by title only.

On motion of Senator Bates, senate bill No. 147 was referred to a select committee, consisting of the senators from Multnomah county.

Senate bill No. 148 coming on for second reading, Senator Smith moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Carter, Dufur and Mackay—4.

So the rules were suspended and senate bill No. 148 was read second time by title only.

Senate bill No. 148 was referred to the committee on municipal corporations.

Senate bill No. 149 coming on for second reading, Senator Bates moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Mackay—3.

So the rules were suspended and senate bill No. 149 was read second time by title only.

Senate bill No. 149 was referred to the committee on revision of laws.

Senate bill No. 150 coming on for second reading, Senator Wade moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion,

Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Mackay—3.

So the rules were suspended and senate bill No. 150 was read second time by title only.

Senate bill No. 150 was referred to the committee on counties.

Senate bill No. 151 coming on for second reading was read second time.

Senate bill No. 151 was referred to the committee on judiciary.

Senate bill No. 152 coming on for second reading, Senator McClung moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Mackay—3.

So the rules were suspended and senate bill No. 152 was read second time by title only.

Senate bill No. 152 was referred to a select committee, consisting of the senators from Lane county.

Senate bill No. 153 coming on for second reading was read second time.

Senate bill No. 153 was referred to the committee on roads and highways.

Senate bill No. 154 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 154 was read second time by title only.

Senate bill No. 154 was referred to the committee on judiciary.

Senate bill No. 155 coming on for second reading, Senator

Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 155 was read second time by title only.

Senate bill No. 155 was referred to the committee on judiciary.

On motion of Senator King, the courtesies of the senate were extended to Judge M. L. Olmsted, and he was invited to a seat within the bar.

On motion of Senator Gesner, the courtesies of the senate were extended to Hon. J. B. Looney, and he was invited to a seat within the bar.

Senate bill No. 156 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Price—3.

So the rules were suspended and senate bill No. 156 was read second time by title only.

Senate bill No. 156 was referred to the committee on revision of laws.

Senate bill No. 157 coming on for second reading was read second time.

Senate bill No. 157 was referred to the committee on assessment and taxation.

Senate bill No. 158 coming on for second reading, Senator Holt moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner,

Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Price—3.

So the rules were suspended and senate bill No. 158 was read second time by title only.

Senate bill No. 158 was referred to the committee on elections and privileges.

Senate bill No. 159 coming on for second reading, Senator King moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 159 was read second time by title only.

Senate bill No. 159 was referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 160 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 160 was read second time by title only.

Senate bill No. 160 was referred to the committee on public buildings and institutions.

Senate bill No. 161 coming on for second reading was read second time.

Senate bill No. 161 was referred to the committee on judiciary.

Senate bill No. 162 coming on for second reading was read second time.

Senate bill No. 162 was referred to the committee on judiciary.

Senate bill No. 163 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 163 was read second time by title only.

Senate bill No. 163 was referred to the committee on counties.

Senate bill No. 164 coming on for second reading was read second time.

Senate bill No. 164 was referred to the committee on judiciary.

Senate bill No. 165 coming on for second reading, Senator Holt moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and King—3.

So the rules were suspended and senate bill No. 165 was read second time by title only.

Senate bill No. 165 was referred to the committee on revision of laws.

Senate bill No. 166 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion,

Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 166 was read second time by title only.

Senate bill No. 166 was referred to the committee on counties.

Senate bill No. 167 coming on for second reading was read second time.

Senate bill No. 167 was referred to the committee on public buildings and institutions.

Senate bill No. 168 coming on for second reading was read second time.

Senate bill No. 168 was referred to the committee on counties.

Senate bill No. 169 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 169 was read second time by title only.

Senate bill No. 169 was referred to the committee on counties.

Senate bill No. 170 coming on for second reading was read second time.

Senate bill No. 170 was referred to the committee on assessment and taxation.

Senate bill No. 171 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 171 was read second time by title only.

Senate bill No. 171 was referred to the committee on counties.

Senate bill No. 172 coming on for second reading, Senator King moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 172 was read second time by title only.

Senate bill No. 172 was referred to the committee on irrigation.

Senate bill No. 173 coming on for second reading was read second time.

Senate bill No. 173 was referred to the committee on counties.

Senate bill No. 174 coming on for second reading, Senator Wade moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 174 was read second time by title only.

Senate bill No. 174 was referred to the committee on counties.

Senate bill No. 175 coming on for second reading was read second time.

Senate bill No. 175 was referred to the committee on judiciary.

Senate bill No. 176 coming on for second reading was read second time.

Senate bill No. 176 was referred to the committee on elections and privileges.

Senate bill No. 177 coming on for second reading, Senator

Reed moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 177 was read second time by title only.

Senate bill No. 177 was referred to the committee on penal institutions.

Senate bill No. 179 coming on for second reading was read second time.

Senate bill No. 179 was referred to the committee on commerce and navigation.

Senate bill No. 180 coming on for second reading was read second time.

Senate bill No. 180 was referred to the committee on education.

Senate bill No. 181 coming on for second reading was read second time.

Senate bill No. 181 was referred to the committee on insurance and banking.

Senate bill No. 182 coming on for second reading, Senator Holt moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 182 was read second time by title only.

Senate bill No. 182 was referred to the committee on counties.

Senate bill No. 183 coming on for second reading, Senator Holt moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 183 was read second time by title only.

Senate bill No. 183 was referred to the committee on revision of laws.

Senate bill No. 184 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 184 was read second time by title only.

Senate bill No. 184 was referred to the committee on military affairs.

Senate bill No. 185 coming on for second reading was read second time.

Senate bill No. 185 was referred to the committee on revision of laws.

Senate bill No. 186 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 186 was read second time by title only.

person who is a duly registered dentist within the state of Oregon under the provisions of act approved February 23, 1897.

AMENDMENT.

Section 17, in the bill, as printed, to be changed to section 18.

J. F. CALBREATH,
Chairman.

On motion of Senator Calbreath, the amendments were adopted.

On motion of Senator Calbreath, senate bill No. 73 was ordered engrossed and passed to third reading.

Senator Calbreath, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 3, 1897. }

Mr. President:

Your committee on medicine, pharmacy and dentistry, to whom was referred senate bill No. 99, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 10 strike out the word "ten" and insert the word "three."

AMENDMENT.

In line 18 strike out the words "one upon the receipt of" and insert the words "person holding."

J. F. CALBREATH,
Chairman.

On motion of Senator Calbreath, the amendments were adopted.

On motion of Senator Calbreath, senate bill No. 99 was ordered engrossed and passed to third reading.

Senator Price, chairman of the committee on military affairs, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 4, 1897. }

Mr. President:

Your committee on military affairs, to whom was referred senate bill No. 184, beg leave to report that we have had the

same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,
Chairman.

On motion of Senator Price, senate bill No. 184 was ordered engrossed and passed to third reading.

Senator Johnson, chairman of the committee on mining, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 4, 1897. }

Mr. President:

Your committee on mining, to whom was referred senate bill No. 63, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. J. JOHNSON,
Chairman.

On motion of Senator Johnson, senate bill No. 63 was ordered engrossed and passed to third reading.

Senator Patterson of Marion, chairman of the committee on public lands, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 4, 1897. }

Mr. President:

Your committee on public lands, to whom was referred senate bill No. 25, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with amendments.

I. L. PATTERSON,
Chairman.

On motion of Senator Patterson of Marion, senate bill No. 25 was recommitted.

Senator Dawson, chairman of the committee on roads and highways, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,*Mr. President:*

February 1, 1897. }

Your committee on roads and highways, to whom was referred senate bill No. 47, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 4, line 11 of printed bill, insert after the word "for" "all materials and labor necessary in."

AMENDMENT.

Add to section 7 of printed bill: "*Provided*, that no supervisor shall purchase any material, or contract for any work, or issue any certificates that would exceed in the aggregate the amount of the tax levied in his district for road purposes."

AMENDMENT.

In section 12, line 1 of printed bill, strike out the word "shall" and insert the word "may."

AMENDMENT.

In section 20, line 2 of printed bill, strike out the figure "7" and insert the figure "8."

AMENDMENT.

In section 20, line 3 of printed bill, strike out the month "January" and insert the month "July."

AMENDMENT.

Strike out all of section 22.

S. A. DAWSON,
Chairman.

On motion of Senator Dawson, the amendments were adopted. On motion of Senator Dawson, senate bill No. 47 was ordered engrossed and passed to third reading.

Senator Haseltine, chairman of the special committee appointed under senate joint resolution No. 5, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

Mr. President:

February 4, 1897. }

Your special committee, to whom was referred senate joint resolution No. 5, beg leave to report that we have had the same under consideration, and respectfully report it back with the recommendation that it be adopted.

J. E. HASELTINE,
Chairman.

Senate joint resolution No. 5, introduced by Senator Haseltine, was read.

Senator Haseltine moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Mulkey—3.

So the motion prevailed, and the resolution was adopted.

Senator Gesner, chairman of the special committee to whom was referred senate bill No. 107, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

Mr. President:

February 2, 1897. }

Your special committee, to whom was referred senate bill No. 107, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

On motion of Senator Gesner, senate bill No. 107 was ordered engrossed and passed to third reading.

Senator McClung, chairman of the special committee to whom was referred senate bill No. 152, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

Mr. President:

February 4, 1897. }

Your special committee, to whom was referred senate bill No.

152, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. H. McCLUNG,
Chairman.

On motion of Senator McClung, senate bill No. 152 was ordered engrossed and passed to third reading.

Senate bill No. 198. Senator Dufur (by request). A bill for an act to amend sections 3353 and 3354 of the miscellaneous laws of Oregon.

Senator Dufur moved that the rules be suspended and that senate bill No. 198 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 198 was read first time by title only and passed to second reading.

Senate bill No. 199. Senator Haseltine (by request). A bill for an act to amend an act relating to appointment of official reporters in circuit courts, prescribing duties and fixing compensation, etc.

Senator Haseltine moved that the rules be suspended and that senate bill No. 199 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 199 was read first time by title only and passed to second reading.

Senate bill No. 200. Senator McClung. A bill for an act to provide for the election, and fix the compensation of the state printer.

Senator McClung moved that the rules be suspended and that senate bill No. 200 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 200 was read first time by title only and passed to second reading.

Senate bill No. 201. Senator Johnson. A bill for an act regulating fire insurance policies hereafter issued upon property in the state of Oregon.

Senator Johnson moved that the rules be suspended and that senate bill No. 201 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 201 was read first time by title only and passed to second reading.

Senate bill No. 202. Senator Daly. A bill for an act to amend section 1 of an act entitled an act to amend section 2326 of the miscellaneous laws of Oregon.

Senator Daly moved that the rules be suspended and that senate bill No. 202 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Carter—2.

So the rules were suspended and senate bill No. 202 was read first time by title only and passed to second reading.

Senate bill No. 203. Senator Reed (by request). A bill for an act to incorporate the city of Roseburg, Douglas county, Oregon.

Senator Reed moved that the rules be suspended and that senate bill No. 203 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators. Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Harmon—3.

So the rules were suspended and senate bill No. 203 was read first time by title only and passed to second reading.

Senate bill No. 204. Senator Calbreath. A bill for an act to protect the sheep and goat husbandry in the state of Oregon.

Senator Calbreath moved that the rules be suspended and that senate bill No. 204 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Harmon—3.

So the rules were suspended and senate bill No. 204 was read first time by title only and passed to second reading.

Senate bill No. 205. Senator Hobson (by request). A bill for an act for the better enforcement of judgments and decrees.

Senator Hobson moved that the rules be suspended and that senate bill No. 205 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Harmon—3.

So the rules were suspended and senate bill No. 205 was read first time by title only and passed to second reading.

Senate bill No. 206. Senator Calbreath (by request). A bill for an act to establish a state board of health.

Senator Calbreath moved that the rules be suspended and that senate bill No. 206 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Harmon—3.

So the rules were suspended and senate bill No. 206 was read first time by title only and passed to second reading.

Senate bill No. 207. Senator Price. A bill for an act to amend an act creating the office of recorder of Umatilla county, to transfer certain records from clerk's office to recorder's.

Senator Price moved that the rules be suspended and that senate bill No. 207 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Harmon—3.

So the rules were suspended and senate bill No. 207 was read first time by title only and passed to second reading.

Senate bill No. 208. Senator Gowan. A bill for an act to amend sections 537, 541, 542 and 543 of the laws of Oregon, as compiled by W. Lair Hill.

Senator Gowan moved that the rules be suspended and that senate bill No. 208 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Carter and Harmon—3.

So the rules were suspended and senate bill No. 208 was read first time by title only and passed to second reading.

Senate bill No. 209. Senator Gowan. A bill for an act to

amend section 1440 and to repeal sections 1441, 1442 and 1443 of the laws of Oregon, as compiled by W. Lair Hill.

Senate bill No. 209 was read first time and passed to second reading without question.

Senate bill No. 210. Senator Gowan. A bill for an act to amend section 536 of the laws of Oregon, as compiled by W. Lair Hill.

Senate bill No. 210 was read first time and passed to second reading without question.

Senate bill No. 211. Senator Gowan. A bill for an act to amend section 1047 of the laws of Oregon.

Senate bill No. 211 was read first time and passed to second reading without question.

On motion of Senator Taylor, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Brownell, Carter and Mulkey.

Senator Michell moved that when the senate adjourn it adjourn until Monday, February 8, 1897, at 2:30 o'clock p. m.

The motion was lost.

Senator Gesner moved that 240 copies only be printed of senate bills introduced.

The motion was lost.

Senate bill No. 190 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Carter, McClung and Mulkey—4.

So the rules were suspended and senate bill No. 190 was read second time by title only.

On motion of Senator Michell, senate bill No. 190 was referred to a select committee, consisting of the senators from Gilliam, Wasco and Sherman counties.

Senate bill No. 191 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Carter, McClung and Mulkey—4.

So the rules were suspended and senate bill No. 191 was read second time by title only.

Senate bill No. 191 was referred to the committee on municipal corporations.

Senate bill No. 192 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Carter, McClung and Mulkey—4.

So the rules were suspended and senate bill No. 192 was read second time by title only.

Senate bill No. 192 was referred to the committee on elections and privileges.

Senate bill No. 193 coming on for second reading was read second time.

Senate bill No. 193 was referred to the committee on railroads.

Senate bill No. 194 coming on for second reading was read second time.

Senate bill No. 194 was referred to the committee on elections and privileges.

Senate bill No. 195 coming on for second reading was read second time.

Senate bill No. 195 was referred to the committee on roads and highways.

Senate bill No. 196 coming on for second reading was read second time.

Senate bill No. 196 was referred to the committee on mining.

Senate bill No. 197 coming on for second reading was read second time.

Senate bill No. 197 was referred to the committee on revision of laws.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, FEBRUARY 5, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 5, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Carter.

The morning session of the senate was opened with prayer by Rev. H. S. Wallace of the Methodist Episcopal church.

On motion of Senator Price, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Driver, chairman of the committee on penal institutions, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 4, 1897. }

Mr. President:

Your committee on penal institutions, to whom was referred senate bill No. 86, beg leave to report that we have had the same under consideration, and respectfully report a substitute bill to the senate with the recommendation that it do pass.

I. D. DRIVER,
Chairman.

On motion of Senator Driver, the substitute for senate bill No.

86 was read first time and passed to second reading without question.

Senator Holt moved that the committee appointed to fix the number of clerks for senate committees and regulate the salaries of same report as early as possible.

The motion was lost.

Unanimous consent being given, Senator Johnson introduced senate resolution No. 20.

SENATE RESOLUTION NO. 20.

Whereas, the information received from the secretary of state's office shows that upwards of 60 clerks are sworn in and under the employ of the seven senate standing committees; and

Whereas, it is not certain at this time that we are to have such an organization of the house as will enable the concurrent action of the senate and house at the present session; and

Whereas, the present number of clerks employed is in excess of our requirements, "under ordinary circumstances even," and too, is in excess of the allowance made by the committee appointed to regulate the same; therefore, be it

Resolved, That the several senate standing committees are hereby instructed to dispense with all clerks under their employ, save and except those actually needed for the transaction of the business in their hands, and that such clerks retained shall not exceed as follows: Committee on engrossed bills, five clerks; committee on enrolled bills, five clerks; judiciary committee, two clerks; agriculture and forestry and mining committees, combined, one clerk, and all other committees one clerk each.

Resolved, further, That at any time any of the several committees may need additional clerical aid, the chairman thereof shall make such fact known to the senate, and clerks of such other committees as are not then busy shall be furnished for his or their use; and in case their needs cannot be supplied in this way, then such chairman may employ such additional clerk or clerks for such time as is actually needed.

Senator Johnson moved the adoption of the resolution.

Senator Gowan moved that the resolution be laid on the table.

Senators Johnson, Driver and McClung demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Dawson, Gesner, Gowan, Haseltine, Hobson, Hughes, Mackay, Michell, Patterson of Washington, Price, Reed, Taylor and Mr. President—15.

Nays—Senators Daly, Driver, Dufur, Harmon, Holt, Johnson, King, McClung, Mulkey, Patterson of Marion, Selling, Smith and Wade—13.

Absent—Senators Brownell and Carter—2.

So the motion prevailed.

Senator Reed, chairman of the committee on fishing industries, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 2, 1897. }

Mr. President :

Your committee on fishing industries, to whom was referred senate bill No. 94, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. REED,
Chairman.

On motion of Senator Reed, senate bill No. 94 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 4, 1897. }

Mr. President :

Your committee on revision of laws, to whom was referred senate bill No. 67, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out after line 18 of printed bill the following:—"This bill is prepared in accordance with the instructions of the convention of the county judges and commissioners held in Portland December 16, 1896."

AMENDMENT.

Add the following section to the bill: "Section 6. That the provisions of this bill shall not take effect until July 1, 1898."

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, the amendments were adopted.

On motion of Senator Patterson of Washington, senate bill No. 67 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 4, 1897. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 11, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

That the following shall be the title of the bill: "A bill for an act to amend section 3587 of the laws of Oregon, as compiled and annotated by William Lair Hill."

AMENDMENT.

After the words "rate of," in line 8 of the printed bill, strike out the word "eight" and insert the word "ten" in lieu thereof."

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, the amendments were adopted.

On motion of Senator Patterson of Washington, senate bill No. 11 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 4, 1897. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 18, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 3, line 1 of printed bill, strike out the word "ten" and insert the word "thirty" in lieu thereof.

AMENDMENT.

Amend section 7 so as to read as follows: "Section 7. For the enforcement of the lien herein provided for all the provisions of sections 11, 12, 13, 14 and 15 of an act entitled 'An act to protect laborers in timber and logging camps,' approved October 26, 1882, the said sections of said act being identical with sections 3687, 3688 and 3689 of title II of chapter LV of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 20, 1891, shall be applicable."

G. W. PATTERSON,
Chairman.

Senator Patterson of Washington moved the adoption of the amendments.

Senator Selling moved that senate bill No. 18, with amendments, be recommitted.

Senators King and Brownell demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Driver, Mackay, Selling, Taylor and Mr. President—6.

Nays—Senators Brownell, Calbreath, Daly, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Smith and Wade—21.

Absent—Senators Carter, Dawson and Price--3.

So the motion to recommit was lost.

On motion of Senator Patterson of Washington, the amendments were adopted.

On motion of Senator Patterson of Washington, senate bill No. 18 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 4, 1897. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 197, beg leave to report that we have had the

same under consideration, and respectfully report it back to the senate with the recommendation that it be referred to the committee on judiciary.

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, the report was adopted.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 4, 1897. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 122, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, senate bill No. 122 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 4, 1897. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 189, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out of section 1 of the bill the following: "Except that the fees for recording any deed, declaration, contract or other private writing required by law to be recorded, for each folio, fifteen cents."

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, the amendment was adopted.

On motion of Senator Patterson of Washington, senate bill No. 189 was ordered engrossed and passed to third reading.

Senator Driver, chairman of the committee on penal institutions, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 5, 1897. }

Mr. President:

Your committee on penal institutions, to whom was referred senate bill No. 87, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

I. D. DRIVER,
Chairman.

On motion of Senator Driver, senate bill No. 87 was ordered engrossed and passed to third reading.

Senator Calbreath, chairman of the committee on medicine, pharmacy and dentistry, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 4, 1897. }

Mr. President:

Your committee on medicine, pharmacy and dentistry, to whom was referred senate bill No. 134, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

“For an act to repeal all of an act entitled an act to prevent the production and sale of unwholesome foods, and to regulate sales of adulterated foods, drinks and medicines, approved February 25, 1889, and to repeal all of an act entitled an act to prevent the production and sales of unwholesome foods and medicines, and to regulate sales of adulterated foods, drinks, medicines and fertilizers, and to repeal the act entitled an act to prevent the production and sales of unwholesome foods, and to regulate the sales of adulterated foods, drinks and medicines, approved February 25, 1889, filed in the office of the secretary of state February 21, 1893.

"Be it enacted by the legislative assembly of the state of Oregon:

"Section 1. That all of an act entitled an act to prevent the production and sales of unwholesome foods, and to regulate sales of adulterated foods, drinks and medicines, approved February 25, 1889, and to repeal all of an act entitled an act to prevent the production and sales of unwholesome foods and medicines, and to regulate sales of adulterated foods, drinks, medicines and fertilizers, and to repeal the act entitled an act to prevent the production and sales of unwholesome foods and to regulate the sales of adulterated foods, drinks and medicines, approved February 25, 1893, and all laws to which these laws are amendatory be and the same are hereby repealed."

J. F. CALBREATH,
Chairman.

On motion of Senator Calbreath, the amendment was adopted.

On motion of Senator Calbreath, senate bill No. 134 was ordered engrossed and passed to third reading.

Senator Brownell, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 5, 1897. }

Mr. President:

Your committee on railroads, to whom was referred senate bill No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEO. C. BROWNELL,
Chairman.

On motion of Senator Brownell, senate bill No. 3 was ordered engrossed and passed to third reading.

Senator Mulkey, chairman of the special committee to whom was referred senate concurrent resolution No. 16, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 5, 1897. }

Mr. President:

Your special committee, to whom was referred senate concurrent resolution No. 16, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted with the following amendments:

AMENDMENT.

After line 22, page 2, add "provided that all lands within said Mount Hood reserve suitable for agricultural purposes shall be and continue open for settlement."

AMENDMENT.

After "Crater Lake," in line 26 of page 2, insert the following: "A fourth reserve of 25,000 acres north of 'Three Sisters,' lying three miles on either side of the McKenzie wagon road, the extreme eastern extremity of which shall be the point where said wagon road crosses the summit of the Cascade mountains."

AMENDMENT.

For the last three words "state of Oregon" substitute "public domain."

B. F. MULKEY,
Chairman.

On motion of Senator Mulkey, the amendments were adopted.

On motion of Senator Mulkey, senate concurrent resolution No. 16 was ordered engrossed.

Senate bill No. 212. Senator Selling. A bill for an act to define and limit homesteads and to secure exemption thereof from judicial sale upon filing a declaration of homestead, and for providing for abandonment of a homestead, and to repeal an act to exempt homesteads from attachment and judicial sale, approved February 21, 1893.

Senator Selling moved that the rules be suspended and that senate bill No. 212 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Daly, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Carter, Dawson and Harmon—3.

So the rules were suspended and senate bill No. 212 was read first time by title only and passed to second reading.

Senator Selling moved that the rules be further suspended and that senate bill No. 212 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Daly, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 26.

Nays — None.

Absent — Senators Carter, Dawson, Gowan and Mackay — 4.

So the rules were suspended and senate bill No. 212 was read second time by title only.

Senate bill No. 212 was referred to the committee on revision of laws.

Senate bill No. 213. Senator Price. A bill for an act to carry out the contract made by the territory of Oregon with those who served in Rogue river and Yakima Indian wars in 1855-6.

Senator Price moved that the rules be suspended and that senate bill No. 213 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Brownell, Calbreath, Daly, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 27.

Nays — None.

Absent — Senators Carter, Dawson and Harmon — 3.

So the rules were suspended and senate bill No. 213 was read first time by title only and passed to second reading.

Senate bill No. 214. Senator McClung (by request). A bill for an act to authorize the construction and maintenance of a floodgate on South slough, Lane county, Oregon.

Senate bill No. 214 was read first time and passed to second reading without question.

Senator Patterson of Washington moved that when the senate adjourn, it adjourn until Monday, February 8, 1897, at 2:30 p. m.

The motion prevailed.

On motion of Senator Michell, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

MONDAY, FEBRUARY 8, 1897.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 8, 1897. }

The senate was called to order at 2:30 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senator Smith.

On motion of Senator Gowan, the reading of the journal of Friday's proceedings was dispensed with.

On motion of Senator McClung, senate bill No. 11 was reconsidered.

On motion of Senator McClung, senate bill No. 11 was recommended to the committee on revision of laws.

Senate bill No. 215. Senator Dufur. A bill for an act to enable school districts to borrow money without issuing bonds.

Senator Dufur moved that the rules be suspended and that senate bill No. 215 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith—1.

So the rules were suspended and senate bill No. 215 was read first time by title only and passed to second reading.

Senate bill No. 216. Senator King. A bill for an act to provide for employment of clerical aid of the legislative assembly of the state of Oregon.

Senate bill No. 216 was read first time and passed to second reading without question.

Senate bill No. 217. Senator Johnson. A bill for an act to regulate the rates of charges and to tax express companies doing business in this state.

Senate bill No. 217 was read first time and passed to second reading without question.

Senate bill No. 218. Senator King. A bill for an act to prevent fraud in sale of mines.

Senate bill No. 218 was read first time and passed to second reading without question.

Senate bill No. 219. Senator Daly (by request). A bill for an act accepting the terms of an act of congress, approved August 18, 1894, providing for reclamation, etc., of 1,000,000 acres arid land therein.

Senator Daly moved that the rules be suspended and that senate bill No. 219 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dawson, McClung and Smith—3.

So the rules were suspended and senate bill No. 219 was read first time by title only and passed to second reading.

Senate bill No. 220. Senator Johnson. A bill for an act to regulate the rates of charges, and to tax telegraph companies doing business in this state.

Senate bill No. 220 was read first time and passed to second reading without question.

Senate bill No. 198 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dawson and Smith—2.

So the rules were suspended and senate bill No. 198 was read second time by title only.

Senate bill No. 198 was referred to the committee on judiciary.

Senate bill No. 199 coming on for second reading, Senator Haseltine moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes,

Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dawson and Smith—2.

So the rules were suspended and senate bill No. 199 was read second time by title only.

Senate bill No. 199 was referred to the committee on judiciary.

Senate bill No. 200 coming on for second reading was read second time.

Senate bill No. 200 was referred to the committee on printing.

Senate bill No. 201 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dawson, Reed and Smith—3.

So the rules were suspended and senate bill No. 201 was read second time by title only.

Senate bill No. 201 was referred to the committee on insurance and banking.

Senate bill No. 202 coming on for second reading, Senator Daly moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dawson and Smith—2.

So the rules were suspended and senate bill No. 202 was read second time by title only.

On motion of Senator Daly, senate bill No. 202 was referred to a select committee, consisting of the senators from the first judicial district.

Senate bill No. 203 coming on for second reading, Senator

Mulkey moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dawson, Reed and Smith—3.

So the rules were suspended and senate bill No. 203 was read second time by title only.

Senate bill No. 203 was referred to the committee on municipal corporations.

Senate bill No. 204 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dawson, Reed and Smith—3.

So the rules were suspended and senate bill No. 204 was read second time by title only.

Senate bill No. 204 was referred to the committee on revision of laws.

Senate bill No. 205 coming on for second reading was read second time.

Senate bill No. 205 was referred to the committee on judiciary.

Senate bill No. 206 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Reed and Smith—2.

So the rules were suspended and senate bill No. 206 was read second time by title only.

Senate bill No. 206 was referred to the committee on medicine, pharmacy and dentistry.

Senate bill No. 207 coming on for second reading was read second time.

Senate bill No. 207 was referred to the committee on revision of laws.

Senate bill No. 208 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Reed and Smith—2.

So the rules were suspended and senate bill No. 208 was read second time by title only.

Senate bill No. 208 was referred to the committee on judiciary.

Senate bill No. 209 coming on for second reading was read second time.

Senate bill No. 209 was referred to the committee on judiciary.

Senate bill No. 210 coming on for second reading was read second time.

Senate bill No. 210 was referred to the committee on judiciary.

Senate bill No. 211 coming on for second reading was read second time.

Senate bill No. 211 was referred to the committee on judiciary.

Senate bill No. 213 coming on for second reading, Senator Price moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Selling, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Reed and Smith—2.

So the rules were suspended and senate bill No. 213 was read second time by title only.

Senate bill No. 213 was referred to the committee on military affairs.

Senate bill No. 214 coming on for second reading was read second time.

Senate bill No. 214 was referred to the committee on fishing industries.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, FEBRUARY 9, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Smith.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Patterson of Washington, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 222. Senator Dufur (by unanimous consent). A bill for an act to amend sections 310, 313, title 1 of chapter III of miscellaneous laws of Oregon, relating to the exemption of the earnings of a judgment debtor.

Senator Dufur moved that the rules be suspended and that senate bill No. 222 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Mulkey and Smith—2.

So the rules were suspended and senate bill No. 222 was read first time by title only and passed to second reading.

Senate bill No. 215 coming on for second reading, Senator

Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith—1.

So the rules were suspended and senate bill No. 215 was read second time by title only.

Senate bill No. 215 was referred to the committee on education.

Senate bill No. 216 coming on for second reading, Senator King moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith—1.

So the rules were suspended and senate bill No. 216 was read second time by title only.

Senate bill No. 216 was referred to the committee on ways and means.

Senate bill No. 217 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith—1.

So the rules were suspended and senate bill No. 217 was read second time by title only.

Senate bill No. 217 was referred to the committee on assessment and taxation.

Senate bill No. 218 coming on for second reading was read second time.

Senate bill No. 218 was referred to the committee on mining.

Unanimous consent being given, Senator Dufur introduced senate resolution No 21.

SENATE RESOLUTION NO. 21.

Whereas, a bill appropriating a large sum of money to be used in constructing a portage railway around the dalles of the Columbia river between Dalles City and Celilo, has been referred to the committee on commerce and navigation, the consideration of which bill involves a technical knowledge of the locality and of railroad building; and

Whereas, it is believed by said committee, from reliable statements, that the sum contemplated in said bill to be appropriated for said enterprise is far in excess of the amount actually necessary to accomplish the object therein set forth; and

Whereas, the opening of the Columbia river to navigation for over one thousand miles is a matter of vast importance to the state, especially the eastern section, the counties bordering on the Columbia river and the city of Portland; therefore, in order to enable said committee to make a satisfactory and creditable report upon said bill, be it

Resolved by the senate, That the committee on commerce and navigation be authorized to make an inspection of the location of said road and to employ expert assistance in determining the cost of constructing the same, and the importance of said railroad as a factor in the trade and transportation facilities of the state.

On motion of Senator Dufur, the resolution was adopted.

Senate bill No. 219 coming on for second reading, Senator Daly moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith—1.

So the rules were suspended and senate bill No. 219 was read second time by title only.

Senate bill No. 219 was referred to the committee on irrigation.

Senate bill No. 220 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith—1.

So the rules were suspended and senate bill No. 220 was read second time by title only.

Senate bill No. 220 was referred to the committee on assessment and taxation.

Senate bill No. 221, substitute for senate bill No. 68, coming on for second reading, was read second time.

Senate bill No. 221 was referred to the committee on penal institutions.

Senate bill No. 223. Senator Michell (by unanimous consent). A bill for an act to provide for the dissolution of municipal corporations incorporated under the act entitled an act for a general law, etc.

Senator Michell moved that the rules be suspended and that senate bill No. 223 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith—1.

So the rules were suspended and senate bill No. 223 was read first time by title only and passed to second reading.

Senate bill No. 224. Senator Daly (by request, by unanimous consent). A bill for an act to provide for the acceptance by the state of Oregon of certain lands, and providing for the reclamation and disposal of the same.

Senator Daly moved that the rules be suspended and that senate bill No. 224 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreata, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator Smith—1.

So the rules were suspended and senate bill No. 224 was read first time by title only and passed to second reading.

Senate bill No. 225. Senator Haseltine (by unanimous consent). A bill for an act to create the office of state biologist without salary and defining his duties.

Senate bill No. 225 was read first time and passed to second reading without question.

Senator Gesner, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 9, 1897.

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 1, 7, 20, 23, 24, 28, 31, 42, 47, 63, 72, 107, 184 and senate resolution No. 13, beg leave to report that we have had the same under consideration, and respectfully report them back to the senate as correctly engrossed.

ALONZO GESNER,

Chairman.

Senate bill No. 1 was read third time.

On motion of Senator McClung, the senate adjourned.

S. L. MOORHEAD,

Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,

SALEM, Oregon,

February 9, 1897.

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Brownell, Holt, Price and Reed.

On motion of Senator Hughes, the courtesies of the senate were extended to President McClelland of the Pacific university, and he was invited to a seat within the bar.

Senate bill No. 1 coming on for third reading, by consent, further consideration of the bill was deferred.

On motion of Senator Michell, the senate adjourned:

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, FEBRUARY 10, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator King.

The morning session of the senate was opened with prayer by Rev. W. E. Copeland.

On motion of Senator Price, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 226. Senator Dawson (by request, by unanimous consent). A bill for an act to provide for the appointment by the governor of a commissioner of commerce, with power to regulate and fix the compensation of a common carrier, and to repeal the railroad commission.

Senator Dawson moved that the rules be suspended and that senate bill No. 226 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade, and Mr. President—27.

Nays—None.

Absent—Senators Harmon, King and McClung—3.

So the rules were suspended and senate bill No. 226 was read first time by title only and passed to second reading.

Senator Dawson moved that the rules be further suspended

and that senate bill No. 226 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Harmon, King and McClung—3.

So the rules were suspended and senate bill No. 226 was read second time by title only.

Senate bill No. 226 was referred to the committee on railroads.

Senate bill No. 227. Senator Carter (by unanimous consent).

A bill for an act to incorporate Corvallis, Benton county, Oregon.

Senator Carter moved that the rules be suspended and that senate bill No. 227 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators King and McClung—2.

So the rules were suspended and senate bill No. 227 was read first time by title only and passed to second reading.

Senator Carter moved that the rules be further suspended and that senate bill No. 227 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—29.

Nays—None.

Absent—Senator King—1.

So the rules were suspended and senate bill No. 227 was read second time by title only.

Senate bill No. 227 was referred to the committee on municipal corporations.

Senate bill No. 228. Senator Wade. A bill for an act to incorporate the town of Wallowa, Wallowa county, Oregon.

Senator Wade moved that the rules be suspended and that senate bill No. 228 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and King—2.

So the rules were suspended and senate bill No. 228 was read first time by title only and passed to second reading.

Senator Gesner, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 10, 1897. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 3, 18, 67, 87, 94, 99, 122, 134, 152, 189 and senate concurrent resolution No. 16, beg leave to report that we have had the same under consideration, and respectfully report them back to the senate as correctly engrossed.

ALONZO GESNER,
Chairman.

Senator Price, chairman of the committee on irrigation, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 5, 1897. }

Mr. President:

Your committee on irrigation, to whom was referred senate bill No. 172, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 2, line 21 of printed bill, after the first word insert the word "state."

AMENDMENT.

In section 3, line 13 of printed bill, strike out the word "owing" and insert the word "owning."

AMENDMENT.

In section 6, line 2 of printed bill, after the word "in," strike out the words and figures "paragraph 7 of section 22" and insert "section 2," and after "election" in same line strike out the word "their" and insert the word "there."

AMENDMENT.

In section 6, line 13, after the word "said," strike out the word "bond" and insert the word "bonds."

AMENDMENT.

In section 8, line 2, after the word "entering," strike out the word "into" and insert the word "upon."

AMENDMENT.

In section 27, line 2, after the words "or acts," strike out the word "supplementary" and insert the word "supplementary."

AMENDMENT.

Add to section 30: "The secretary shall make such list in duplicate and deliver one of such duplicates certified to by him to county treasurer."

AMENDMENT.

In section 32, line 12 of printed bill, strike out the words "lion thereof" and insert the words "lieu thereof."

AMENDMENT.

In line 12 of section 37 of printed bill, after the word "delinquent," strike out all the words in line 12 and all the words in line 13 of said section and insert in lieu thereof the following: "The county treasurer shall furnish the secretary of such district with a list of delinquent assessments, showing the name and amount of such delinquencies, and thereafter the secretary shall collect the same, together with an additional sum of 20 per cent. and pay the same into the county treasury for the use of said district."

AMENDMENT.

Strike out section 38 and insert in lieu thereof the following: "The county treasurer, for his services for such irrigation dis-

trict, may be allowed such additional sum as the county court may deem just, not to exceed \$120 per annum; and the compensation of the secretary shall be fixed by the board of directors of the district, and the compensation of both the treasurer and secretary for their services for the district shall be paid out of the district fund as other bills of the district are paid."

AMENDMENT.

In section 42, line 29 of printed bill, after the word "counties," add "the secretary shall pay all funds received at any time by him into the county treasury for the benefit of the district."

AMENDMENT.

In section 44, after the word "purchase" in line 2, add the following: "If the property should not be redeemed at the expiration of said date, the purchaser thereof shall be entitled to immediate possession of the property purchased."

AMENDMENT.

In line 4, after the word "taxes," section 44 in printed bill, strike out balance of line 4 and all of line 5 in said section to and including the word "assignees" and insert the following: "Which shall be paid into the county treasury to the credit of the person named in the certificate or his assignees, and the same shall be paid by the treasurer to such persons or assignees on presentation of the warrant thereof signed by the president of the board of directors and countersigned by the secretary of such district."

AMENDMENT.

In line 9, section 44 of printed bill, strike out "in" and insert "on."

AMENDMENT.

In line 5, section 54, after the word "received," strike out the figures "\$3" and insert the words "two dollars."

AMENDMENT.

In section 59, line 12 of printed bill, strike out the word "bounderies" and insert the word "boundaries."

A. R. PRICE,
Chairman.

On motion of Senator Price, the amendments were adopted.

On motion of Senator Price, senate bill No. 172 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1897. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 74, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

After the words "Siuslaw bay," in line 6 of printed bill, insert the following: "One to reside at Tillamook City, near the head of Tillamook bay."

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, the amendment was adopted.

On motion of Senator Patterson of Washington, senate bill No. 74 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 9, 1897. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 112, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, senate bill No. 112 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1897. }

Your committee on revision of laws, to whom was referred senate bill No. 115, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, senate bill No. 115 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1897. }

Your committee on revision of laws, to whom was referred senate bill No. 125, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:—

AMENDMENT.

After the word "have," in line 1 of section 4 of printed bill, insert the word "concurrent."

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, the amendment was adopted.

On motion of Senator Patterson of Washington, senate bill No. 125 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 9, 1897. }

Your committee on revision of laws, to whom was referred senate bill No. 142, beg leave to report that we have had the

same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Before the first word in line 3 of section 1 of printed bill, prefix the following: "Section 2330."

AMENDMENT.

Strike out all of section 2, and insert in lieu thereof the following: "This act shall not take effect until January 1, 1898."

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, the amendments were adopted.

On motion of Senator Patterson of Washington, senate bill No. 142 was ordered engrossed and passed to third reading.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 9, 1897. }

Mr. President:

Your committee on revision of laws, to whom was referred senate bill No. 146, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the word "have," in line 1, section 3 of printed bill, insert the word "concurrent."

AMENDMENT.

Strike out all of section 4.

G. W. PATTERSON,
Chairman.

On motion of Senator Patterson of Washington, the amendments were adopted.

On motion of Senator Patterson of Washington, senate bill No. 146 was ordered engrossed and passed to third reading.

Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 10, 1897. }

Mr. President:

Your committee on municipal corporations, to whom was referred senate bill No. 22, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

On page 7, line 23, change the word "monthly" to "daily."

J. E. HASELTINE,

Chairman.

On motion of Senator Haseltine, the amendment was adopted.

On motion of Senator Haseltine, senate bill No. 22 was ordered engrossed and passed to third reading.

Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 10, 1897. }

Mr. President:

Your committee on municipal corporations, to whom was referred senate bill No. 12, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 7 of section 103 of printed bill, strike out the words and figures "section 101" and insert in lieu thereof the words and figures "sections 98, 99, 100, 101, 102."

AMENDMENT.

In section 128, line 3 of printed bill, strike out the figures "110" and insert in lieu thereof the figures "111."

AMENDMENT.

In paragraph 49 of section 151, after the word "tax," in line 320 of printed bill, strike out all of said line.

AMENDMENT.

Strike out all of lines 321, 322, to the word "provided" in line 322 of said paragraph and section.

AMENDMENT.

In line 2 of section 162, after the word "section," strike out the figures "160" and insert in lieu thereof the figures "161."

AMENDMENT.

After the word "thereof," in line 2 of section 186, after the word "thereof" insert the words "an emergency exists."

AMENDMENT.

In line 3 of section 186, strike out the words and figures "March 1, 1897," and insert in lieu thereof the words "its approval by the governor."

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, the amendments were adopted.

On motion of Senator Haseltine, senate bill No. 12 was ordered engrossed and passed to third reading.

Senator Haseltine, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 10, 1897. }

Your committee on municipal corporations, to whom was referred senate bill No. 187, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. E. HASELTINE,
Chairman.

On motion of Senator Haseltine, senate bill No. 187 was ordered engrossed and passed to third reading.

Senator Hobson, chairman of the committee on public buildings and institutions, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 8, 1897. }

Mr. President:

Your committee on public buildings and institutions, to whom was referred senate bill No. 129, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

W. H. HOBSON,
Chairman.

On motion of Senator Hobson, senate bill No. 129 was ordered engrossed and passed to third reading.

On motion of Senator Gowan, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,

SALEM, Oregon,

February 10, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Brownell.

Senate bill No. 229. Senator Hobson (by request). A bill for an act to provide for the supervision of the forest interests of this state, and to aid in the enforcement of the laws against setting out destructive fires.

Senator Hobson moved that the rules be suspended and that senate bill No. 229 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, McClung and Mulkey—3.

So the rules were suspended and senate bill No. 229 was read first time by title only and passed to second reading.

Senate bill No. 230. Senator King. A bill for an act providing for location and relocation of quartz mining claims.

Senator King moved that the rules be suspended and that senate bill No. 230 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and McClung—2.

So the rules were suspended and senate bill No. 230 was read first time by title only and passed to second reading.

Senate bill No. 222 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Absent—Senators Brownell, McClung and Price—3.

So the rules were suspended and senate bill No. 222 was read second time by title only.

Senate bill No. 222 was referred to the committee on judiciary.

Senator Johnson, chairman of the special committee to whom was referred senate bill No. 101, submitted the following special report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 10, 1897. }

Mr. President:

Your special committee, to whom was referred senate bill No. 101, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. J. JOHNSON,
Chairman.

On motion of Senator Johnson, senate bill No. 101 was ordered engrossed and passed to third reading.

Senate bill No. 231. Senator Reed (by request, by unanimous consent). A bill for an act for the protection of sturgeon in the waters of the Columbia and its tributaries.

Senate bill No. 231 was read first time and passed to second reading without question.

Senate bill No. 223 coming on for second reading, Senator Michell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Brownell — 1.

So the rules were suspended and senate bill No. 223 was read second time by title only.

Senate bill No. 223 was referred to the committee on municipal corporations.

Senate bill No. 224 coming on for second reading, Senator Daly moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Hobson — 2.

So the rules were suspended and senate bill No. 224 was read second time by title only.

Senate bill No. 224 was referred to the committee on irrigation.

Senate bill No. 225 coming on for second reading was read second time.

Senate bill No. 225 was referred to the committee on education.

Senator Driver, chairman of the committee on penal institutions, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 10, 1897. }

Mr. President:

Your committee on penal institutions, to whom was referred senate bill No. 221, substitute for senate bill No. 86, beg leave to

report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

I. D. DRIVER,
Chairman.

On motion of Senator Driver, senate bill No. 221 was ordered engrossed and passed to third reading.

On motion of Senator Johnson, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, FEBRUARY 11, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Brownell, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 228 coming on for second reading, Senator Wade moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mitchell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Hughes, Mackay, McClung and Smith—4.

So the rules were suspended and senate bill No. 228 was read second time by title only.

Senate bill No. 228 was referred to the committee on municipal corporations.

Senate bill No. 229 coming on for second reading was read second time.

Senate bill No. 229 was referred to the committee on horticulture.

Senate bill No. 230 coming on for second reading, Senator King moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Johnson, King, Mitchell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Hughes, Mackay, McClung and Smith—4.

So the rules were suspended and senate bill No. 230 was read second time by title only.

Senate bill No. 230 was referred to the committee on mining.

Senate bill No. 231 coming on for second reading was read second time.

Senate bill No. 231 was referred to the committee on fishing industries.

On motion of Senator Reed, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

Senate bill No. 178 coming on for second reading, Senator Patterson of Marion moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Carter, Daly, Dawson, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Mitchell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Calbreath and Gowan—2.

So the rules were suspended and senate bill No. 178 was read second time by title only.

Senate bill No. 178 was referred to a select committee, consisting of senators from Marion county.

Senate bill No. 232 Senator Michell (by request, by unanimous consent). A bill for an act to create the county of Sutton and to fix the salaries of county judge and treasurer thereof.

Senator Michell moved that the rules be suspended and that senate bill No. 232 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—30.

So the rules were suspended and senate bill No. 232 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Reed introduced senate resolution No. 22.

SENATE RESOLUTION NO. 22.

Whereas, the organization of the legislature has not yet been perfected, and the public business is being retarded, and necessary legislation, such as appropriations for public purposes, the abolishment of useless and expensive commissions, and other legislation promised the people of this state by all political parties, is being denied by the refusal of certain persons elected to the house of representatives to qualify; and

Whereas, notwithstanding the facts aforesaid, and the fact that the senate is practically transacting no public business, and there is no work for senate committee clerks to do, there is, nevertheless, now employed by senate committees at the public charge a large number of clerks; and

Whereas, none of said clerks are engaged in the discharge of any public duty, and there is no probability of their services being immediately required, therefore, be it

Resolved, That all clerks of senate committees be and they are hereby discharged, and no compensation shall be allowed any such clerk from and after this date, unless employment be hereafter authorized by the senate, after a perfect organization of the legislature shall have been secured.

Senator Reed moved the adoption of the resolution.

Senator Selling moved to amend by limiting the number of clerks to thirty.

Senator Harmon moved to amend the amendment by limiting the number of clerks to ten—five clerks on the engrossing committee, four clerks on the enrollment committee and one clerk on the judiciary committee.

Senators Selling, Reed and Michell demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Dawson, Harmon, Hobson, Michell, Mulkey, Patterson of Washington, Selling and Mr. President—10.

Nays—Senators Brownell, Carter, Daly, Driver, Dufur, Gesner, Gowan, Haseltine, Holt, Hughes, Johnson, King, Mackay, McClung, Patterson of Marion, Price, Reed, Smith, Taylor and Wade—20.

So the amendment to the amendment was lost.

Senators Selling, Reed and Michell demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Dawson, Gesner, Gowan, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Selling, Wade and Mr. President—13.

Nays—Senators Brownell, Carter, Daly, Driver, Dufur, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith and Taylor—17.

So the amendment was lost.

On the motion to adopt, Senators Johnson and Patterson of Marion demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Wade—29.

Nays—Mr. President—1.

So the resolution was adopted.

On motion of Senator Hughes, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, FEBRUARY 12, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called and all the senators were present.

The morning session of the senate was opened with prayer by Rev. Mr. Webster of the Baptist church.

On motion of Senator Gowan, the reading of the journal of yesterday's proceedings was dispensed with.

Unanimous consent being given, Senator Harmon introduced senate resolution No. 23.

SENATE RESOLUTION NO. 23.

Resolved, That the per diem of the several clerks employed by the chairmen of the committees of the senate be fixed as follows: The chief clerk of each of the committees on engrossed bills, enrolled bills, judiciary, ways and means and fishing industries shall be allowed \$5 per day, and the clerks employed on all other committees of the senate shall be allowed \$3 per day; the number of days' service and amount of compensation as fixed by this resolution shall be certified to the secretary of state by the chairmen of the several committees and the chief clerk of the senate.

Senator Reed moved the adoption of the resolution.

On motion of Senator Patterson of Marion, the resolution was referred to the committee on ways and means.

Senator King moved that the senate now proceed with the seventh order of business—third reading of bills.

Senators King and Smith demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Daly, Dufur, Harmon, Holt, Hughes, King, Mackay, Mulkey, Selling, Smith, Wade and Mr. President—13.

Nays—Senators Bates, Calbreath, Carter, Dawson, Driver, Gesner, Gowan, Haseltine, Hobson, Johnson, McClung, Michell, Patterson of Marion, Price, Reed and Taylor—16.

Absent—Senator Patterson of Washington—1.

So the motion was lost.

Senator Gesner moved that when the senate adjourn it adjourn until Monday, February 15, at 2:30 o'clock p. m.

Senators Johnson and Dufur demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Dawson, Gesner, Gowan, Haseltine, Hughes, Mackay, Michell, Mulkey, Price, Selling and Mr. President—13.

Nays—Senators Brownell, Carter, Daly, Driver, Dufur, Harmon, Hobson, Holt, Johnson, King, McClung, Patterson of Marion, Reed, Smith, Taylor and Wade—16.

Absent—Senator Patterson of Washington—1.

So the motion was lost.

Senator Selling, chairman of the special committee to whom was referred senate bill No. 13, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 11, 1897. }

Mr. President:

Your special committee, to whom was referred senate bill No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line 9 of section 13 of printed bill, after the word "same," strike out the word "of" and insert the word "or."

BEN SELLING,

Chairman.

On motion of Senator Selling, the amendment was adopted.

On motion of Senator Selling, senate bill No. 107 was ordered engrossed and passed to third reading.

Senator Mackay, chairman of the committee on counties, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

January 28, 1897. }

Mr. President:

Your committee on counties, to whom was referred senate bill No. 52, beg leave to report that we have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

On motion of Senator Mackay, senate bill No. 52 was ordered engrossed and passed to third reading.

Senator Mackay, chairman of the committee on counties, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1897. }

Mr. President:

Your committee on counties, to whom was referred senate bill No. 38, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

On motion of Senator Mackay, senate bill No. 38 was ordered engrossed and passed to third reading.

Senator Mackay, chairman of the committee on counties, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
January 28, 1897. }

Mr. President:

Your committee on counties, to whom was referred senate bill No. 39, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

DONALD MACKAY,
Chairman.

Senator Mackay moved that senate bill No. 39 be ordered engrossed and passed to third reading.

On motion of Senator Harmon, senate bill No. 39 was laid on the table.

Senator Mackay, chairman of the committee on counties, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 8, 1897. }

Mr. President:

Your committee on public buildings and institutions, to whom was referred senate bill No. 129, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

W. H. HOBSON,
Chairman.

On motion of Senator Hobson, senate bill No. 129 was ordered engrossed and passed to third reading.

On motion of Senator Gowan, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,

SALEM, Oregon,

February 10, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Brownell.

Senate bill No. 229. Senator Hobson (by request). A bill for an act to provide for the supervision of the forest interests of this state, and to aid in the enforcement of the laws against setting out destructive fires.

Senator Hobson moved that the rules be suspended and that senate bill No. 229 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, McClung and Mulkey—3.

So the rules were suspended and senate bill No. 229 was read first time by title only and passed to second reading.

Senate bill No. 230. Senator King. A bill for an act providing for location and relocation of quartz mining claims.

Senator King moved that the rules be suspended and that senate bill No. 230 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Brownell and McClung—2.

So the rules were suspended and senate bill No. 230 was read first time by title only and passed to second reading.

Senate bill No. 222 coming on for second reading, Senator Dufur moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Absent—Senators Brownell, McClung and Price—3.

So the rules were suspended and senate bill No. 222 was read second time by title only.

Senate bill No. 222 was referred to the committee on judiciary.

Senator Johnson, chairman of the special committee to whom was referred senate bill No. 101, submitted the following special report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 10, 1897. }

Mr. President:

Your special committee, to whom was referred senate bill No. 101, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. J. JOHNSON,
Chairman.

On motion of Senator Johnson, senate bill No. 101 was ordered engrossed and passed to third reading.

Senate bill No. 231. Senator Reed (by request, by unanimous consent). A bill for an act for the protection of sturgeon in the waters of the Columbia and its tributaries.

Senate bill No. 231 was read first time and passed to second reading without question.

Senate bill No. 223 coming on for second reading, Senator Michell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 29.

Nays — None.

Absent — Senator Brownell — 1.

So the rules were suspended and senate bill No. 223 was read second time by title only.

Senate bill No. 223 was referred to the committee on municipal corporations.

Senate bill No. 224 coming on for second reading, Senator Daly moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 28.

Nays — None.

Absent — Senators Brownell and Hobson — 2.

So the rules were suspended and senate bill No. 224 was read second time by title only.

Senate bill No. 224 was referred to the committee on irrigation.

Senate bill No. 225 coming on for second reading was read second time.

Senate bill No. 225 was referred to the committee on education.

Senator Driver, chairman of the committee on penal institutions, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 10, 1897. }

Mr. President:

Your committee on penal institutions, to whom was referred senate bill No. 221, substitute for senate bill No. 86, beg leave to

report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

I. D. DRIVER,
Chairman.

On motion of Senator Driver, senate bill No. 221 was ordered engrossed and passed to third reading.

On motion of Senator Johnson, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, FEBRUARY 11, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 11, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Brownell, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 228 coming on for second reading, Senator Wade moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Johnson, King, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Hughes, Mackay, McClung and Smith—4.

So the rules were suspended and senate bill No. 228 was read second time by title only.

Senate bill No. 228 was referred to the committee on municipal corporations.

consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

After word "vote," in line 6 of printed bill, insert the following: "*Provided*, That in all elections in such districts subdivided into wards, the board of directors shall establish at least one polling place in each ward, the judges and clerks of which shall be qualified electors within the provisions of this act and residents of such ward, and each elector shall be required to cast his ballot in the ward in which he or she resides."

J. H. McCLUNG,
Chairman.

On motion of Senator McClung, the amendment was adopted.

On motion of Senator McClung, senate bill No. 19 was ordered engrossed and passed to third reading.

On motion of Senator Gowan, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1897. }

The senate was called to order at 2 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senators Brownell, Holt and Price.

Senator Taylor, chairman of the committee on ways and means, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1897. }

Mr. President:

Your committee on ways and means, to whom was referred senate resolution No. 23, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted with the following amendment:

AMENDMENT.

Add after the word "fishing industries," in line 5 of resolution, the following: "Printing, revision of laws, railroads, assessment and taxation, and one additional clerk to the judiciary committee."

T. C. TAYLOR,
Chairman.

On motion of Senator Taylor, the amendment was adopted.

On motion of Senator Taylor, the resolution, as amended, was adopted.

Senator Gesner, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 12, 1897. }

Mr. President:

Your committee on engrossed bills, to whom was referred senate bills Nos. 74, 101, 112, 115, 125, 129, 142, 146, 187, 221, beg leave to report that we have had the same under consideration, and respectfully report the same back to the senate as correctly engrossed.

ALONZO GESNER,
Chairman.

Senate bill No. 232 coming on for second reading, Senator Michell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Hughes, Johnson, King, Mackay, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—26.

Nays—None.

Absent—Senators Brownell, Holt, McClung and Price—4.

So the rules were suspended and senate bill No. 232 was read second time by title only.

Senate bill No. 232 was referred to the committee on counties.

Senator Haseltine moved that when the senate adjourn it adjourn until Monday, February 15, 1897, at 2:30 o'clock p. m.

The motion prevailed.

On motion of Senator Johnson, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

MONDAY, FEBRUARY 15, 1897.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 15, 1897. }

The senate was called to order at 2:30 p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senator Dawson, who was excused on account of illness, and Senator Harmon.

The afternoon session of the senate was opened with prayer by Rev. G. W. Grannis of Salem.

On motion of Senator Michell, the reading of the journal of Friday's proceedings was dispensed with.

Senate bill No. 234. Senator Wade. A bill for an act to declare unlawful and void all arrangements, trusts, etc.

Senator Wade moved that the rules be suspended and that senate bill No. 234 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Dawson, Harmon and Price—3.

So the rules were suspended and senate bill No. 234 was read first time by title only and passed to second reading.

On motion of Senator Reed, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, FEBRUARY 16, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Dawson, who was excused on account of sickness, and Senators Brownell and Smith.

The morning session on the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Reed, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 234 coming on for second reading, Senator Wade moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Holt, Johnson, King, Mackay, McClung, Michell, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Taylor, Wade and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Dawson, Harmon, Hughes, Mulkey and Smith—6.

So the rules were suspended and senate bill No. 234 was read second time by title only.

Senate bill No. 234 was referred to the committee on revision of laws.

On motion of Senator Reed, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 16, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Dawson, who was excused on account of sickness, and Senators Brownell, Calbreath and Gowan.

Unanimous consent being given, Senator Michell introduced senate resolution No. 24.

SENATE RESOLUTION NO 24.

Resolved, That the president of the senate be directed to appoint a committee of four, consisting of two members of the senate and the chief and assistant clerks, whose duty it shall be to examine and correct all errors that may appear on the journal of the senate; and the said committee shall then approve the same. The committee so appointed shall be allowed such time, not exceeding twenty days, as they may deem necessary to complete the records, and file all papers with the secretary of state. For such work they shall receive the same per diem as allowed the chief clerk during the session.

Senator Michell moved the adoption of the resolution.

Senator Johnson moved that the resolution be laid on the table.

Senators Johnson, Driver and Patterson of Marion demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Carter, Daly, Driver, Dufur, Gesner, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor and Wade—23.

Nays—Senators Michell, Mulkey and Mr President—3.

Absent—Senators Brownell, Calbreath, Dawson and Gowan—4.

So the motion prevailed and the resolution was laid on the table.

Senator Price, chairman of the committee on military affairs, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 16, 1897.

Mr. President:

Your committee on military affairs, to whom was referred senate bill No. 213, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,
Chairman.

On motion of Senator Price, senate bill No. 213 was ordered engrossed and passed to third reading.

Senator McClung, chairman of the committee on education, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 16, 1897. }

Mr. President:

Your committee on education, to whom was referred senate bill No. 139, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

That wherever the words "fifty dollars" occurs in amended section 2608, the same be changed to read "twenty-five dollars," to-wit, in lines 11, 13, 16 and 17.

AMENDMENT.

That section 2 be stricken out entirely.

J. H. McCLUNG,
Chairman.

On motion of Senator McClung, the amendments were adopted.

On motion of Senator McClung, senate bill No. 139 was ordered engrossed and passed to third reading.

Senator McClung, chairman of the committee on education, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 16, 1897. }

Mr. President:

Your committee on education, to whom was referred senate bill No. 76, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

J. H. McCLUNG,
Chairman.

On motion of Senator Dufur, senate bill No. 76 was ordered recommitted.

Senator McClung, chairman of the committee on education, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 16, 1897. }

Mr. President:

Your committee on education, to whom was referred senate bill No. 141, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass, as its principal feature is embodied in senate bill No. 19, upon which the committee makes a favorable report.

J. H. McCLUNG,
Chairman.

Senator McClung moved that senate bill No. 141 be laid on the table.

The motion prevailed.

Senator McClung, chairman of the committee on education, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 16, 1897. }

Mr. President:

Your committee on education, to whom was referred senate bill No. 120, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

That line 12, section 2, be changed to read "twenty-five per cent. of the legal voters who are taxpayers."

AMENDMENT.

That line 4, section 5, be omitted.

AMENDMENT.

That section 14 be changed so as to read: "In at least one newspaper of general circulation," and the words "of books" added to the section at the finale.

AMENDMENT.

That section 15, from the end of line 2, be changed so as to read: "The wishes of all residents therein shall be consulted and complied with as nearly as possible.

AMENDMENT.

That the word "biographers," in line 4, section 15, be changed to "biographies."

J. H. McCLUNG,
Chairman.

On motion of Senator McClung, the amendments were adopted.

On motion of Senator McClung, senate bill No. 120 was ordered engrossed and passed to third reading.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, FEBRUARY 17, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

On motion of Senator McClung, the reading of the journal of yesterday's proceedings was dispensed with.

Unanimous consent being given, Senator Haseltine introduced senate petition No. 20.

SENATE PETITION NO. 20.

To the honorable members of the state legislature of Oregon:

Inasmuch as the cigarette is injuring, morally, mentally and physically, a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned, parents, educators and physicians, ask your most honorable body to enact a law forbidding

the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment. (Signed by many petitioners.)

The petition was referred to the committee on education.

Unanimous consent being given, Senator Selling introduced senate petition No. 21.

SENATE PETITION NO. 21.

To the honorable members of the state legislature of Oregon:

Inasmuch as the cigarette is injuring morally, mentally and physically, a vast number of the youths of this nation, causing insanity and death to thousands, without the least benefit to the consumer, we, the undersigned, parents, educators and physicians, ask your most honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment. (Signed by many petitioners.)

The petition was referred to the committee on education.

Senator Patterson of Washington, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,

Mr. President:

February 16, 1897. }

Your committee on revision of laws, to whom was referred senate bill No. 136, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

G. W. PATTERSON,
Chairman.

Senate bill No. 136 was recommitted to the committee on revision of laws.

Unanimous consent being given, Senator Reed introduced senate resolution No. 25.

SENATE RESOLUTION NO. 25.

Be it resolved, That a committee of three senators be appointed by the president, whose duty it shall be to proceed at once to examine, correct and approve the journal of the senate without compensation; said examination and approval shall be completed as soon after the close of the session as possible, not

exceeding two days thereafter. It shall be the duty of the chief clerk and assistant clerk of the senate to assist under the direction of the said committee in the discharge of the duty imposed by this resolution. Said clerks shall act without compensation other than that allowed them as clerks of the senate.

Senator Reed moved the adoption of the resolution.

Senators Reed and Hughes demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Dawson, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—Senators Driver and Michell—2.

So the resolution was adopted.

On this committee the president appointed Senators Reed, Michell and Gesner.

On motion of Senator Johnson, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1897. }

The senate was called to order at 2 o'clock by the president.

The roll was called, and all the senators were present except Senator Dawson, who was excused until tomorrow, and Senators Brownell, King, Mulkey, Price and Wade.

On motion of Senator Hughes, the courtesies of the senate were extended to Hon. H. V. Gates of Washington county, and he was invited to a seat within the bar.

On motion of Senator Reed, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, FEBRUARY 18, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Dawson, who was absent on leave.

The morning session of the senate was opened with prayer by Rev. J. Muellhaupt of Salem.

On motion of Senator Calbreath, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Senator Daly, the courtesies of the senate were extended to ex-Senator Henry Blackman, and he was invited to a seat within the bar.

Unanimous consent being given, Senator Brownell (by request) introduced senate petition No. 22.

SENATE PETITION NO. 22.

To the senate of the state of Oregon:

I most respectfully ask and petition you to have a law passed making it lawful for women to practice midwifery in the state of Oregon, said bill to provide that all women who have practiced for twenty-five years and over be allowed to practice the remainder of their lives; *provided* said practitioner must prove that they have been practicing for twenty-five years in one county, and have for all of said time been the choice of the people; *provided*, that all such midwives as desire to practice shall come forward and make proof of their qualifications and get a license from the proper officers to practice within six months from the time the bill becomes a law, and upon procuring a license be allowed to practice anywhere within the state of Oregon during their natural lives, and to allow younger midwives to practice on such restriction as may be best. For myself I have been practicing for thirty years. I am often called upon to wait on a woman in distress. If you will have such a law passed you will receive the gratitude of hundreds of women, who do not wish to have a doctor if it can possibly be avoided.

Sincerely hoping that you will favor this petition, and draft a proper bill and see that it becomes a law, I am, yours truly,

MRS. ANNA WALLACE.

The petition was referred to the committee on medicine, pharmacy and dentistry.

Senator Mackay, chairman of the committee on counties, submitted the following report: —

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1897. }

Mr. President:

Your committee on counties, to whom was referred senate bill No. 89, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,
Chairman.

On motion of Senator Mackay, senate bill No. 89 was ordered engrossed and passed to third reading.

Senator Hughes, chairman of the committee on assessment and taxation, submitted the following report: —

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1897. }

Mr. President:

Your committee on assessment and taxation, to whom was referred senate bill No. 27, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the annexed bill be a substitute therefor and that it do pass.

S. HUGHES,
Chairman.

On motion of Senator Hughes, senate bill No. 235, substitute for senate bill No. 27, was read first time and passed to second reading without question.

Senate bill No. 235, substitute for senate bill No. 27, coming on for second reading, Senator Hughes moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bates, Calbreath, Carter, Daly, Driver, Gesner, Gowan, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Pat-

terson of Washington, Price, Selling, Taylor, Wade and Mr President—25.

Nays—None.

Absent—Senators Brownell, Dawson, Dufur, Harmon and Price—5.

So the rules were suspended and senate bill No. 235 was read second time by title only.

On motion of Senter Holt, senate bill No. 235 was ordered engrossed and passed to third reading.

Senator Gowan, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1897. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. GOWAN,
Chairman.

On motion of Senator Gowan, senate bill No. 2 was ordered engrossed and passed to third reading.

Senator Gowan, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1897. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 29, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In the title, strike out the word "Clatsop" and insert the word "Tillamook."

AMENDMENT.

In line 3 of printed bill, strike out the word "Clatsop" and insert the word "Tillamook."

A. W. GOWAN,
Chairman.

On motion of Senator Gowan, the amendments were adopted.
On motion of Senator Gowan, senate bill No. 29 was ordered engrossed and passed to third reading.

Senator Gowan, chairman of committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 18, 1897. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 110, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. GOWAN,
Chairman.

On motion of Senator Gowan, senate bill No. 110 was ordered engrossed and passed to third reading.

Senator Gowan, chairman of committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1897. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 55, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line 2, section 2 of printed bill, strike out the word "shall" and insert the words "may if deemed necessary."

AMENDMENT.

In line 7 of said section, strike out the word "certificate" and insert the words "proof and claim."

AMENDMENT.

Between said line 7 and 8, insert a blank line for the date.

AMENDMENT.

In line 8, strike out the word "certify" and insert the words "swear on my oath."

AMENDMENT.

In line 9, strike out the words and figures "month of ———, 189—," and insert the words "thirty days next preceding this date."

AMENDMENT.

In line 10, strike out the word "from."

AMENDMENT.

In line 11, strike out the word "whom" and insert the word "and."

AMENDMENT.

Between lines 12 and 13 insert "subscribed and sworn to before me this ——— day of ———, 189—. ———, inspector for ——— precinct."

AMENDMENT.

Strike out lines 17, 18 and 19.

AMENDMENT.

In line 3 of section 3 of printed bill, strike out the words "remove one ear from" and insert the words "notch or swallow fork the end of the right ear off."

AMENDMENT.

In line 1 of section 4 of printed bill, strike out the word "removed" and insert the words "marked as above described."

AMENDMENT.

In line 3, after the word "inspector" insert the words "pertaining to same." Also strike out the words "remove the remaining ear from" and insert the word "destroy."

AMENDMENT.

In line 4, after the word "scalps" add the words "provided everything thereto appears regular."

AMENDMENT.

In line 3 of section 5 of printed bill, after the word "issued" insert the words "by the county treasurer."

AMENDMENT.

In line 4, after the word "warrants" add the words "and draw interest, after presentation, at the same rate as other county warrants."

A. W. GOWAN,
Chairman.

On motion of Senator Gowan, the amendments were adopted.

On motion of Senator Gowan, senate bill No. 55 was ordered engrossed and passed to third reading.

Senator Daly, chairman of special committee to whom was referred senate bill No. 202, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 18, 1897. }

Mr. President:

Your special committee, to whom was referred senate bill No. 202, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the following bill be substituted therefor and that the same do pass.

B. DALY,
Chairman.

On motion of Senator Daly, senate bill No. 236, substitute for senate bill No. 202, was read first time and passed to second reading without question.

Senate bill No. 236, substitute for senate bill No. 202, coming on for second reading, Senator Daly moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Calbreath, Carter, Daly, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Dawson and Dufur—3.

So the rules were suspended and senate bill No. 236 was read second time by title only.

On motion of Senator Daly, senate bill No. 236 was ordered engrossed and passed to third reading.

Senator Harmon, chairman of the committee on commerce and navigation, submitted the following report:—

REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 18, 1897. }

Mr. President:

Your committee on commerce and navigation, to whom was referred senate bill No. 44, beg leave to report that we have had the same under consideration, and respectfully report as follows: Believing the appropriation asked for in the bill was larger than necessary to carry out its provisions, and further believing that the services of an engineer and a personal examination was necessary in order to make an intelligent report upon said bill, we obtained the permission of the senate to employ an engineer and to visit the site of the proposed road under senate resolution No. 22. We employed Mr. Samuel L. Lovell, who was the engineer employed by the state to construct the portage railway at the cascades, and dispatched him to the locality of the proposed railroad with instructions to prepare an estimate in detail of the cost of constructing such portage railway as would utilize the rolling stock and material formerly in use upon the cascade portage, to examine relative to the feasibility of the route, and the probable resources tributary to said road. The report of said engineer is hereto attached as part of this report. Your committee proceeded to The Dalles on February 13, and the next day, in company with our engineer and a committee of Dalles City board of trade, made a personal examination of the route of the proposed road, and find the conditions as shown in the accompanying report of our engineer.

We believe that the building of this portage road will open to freight competition many miles of navigable water bordering upon a fertile and productive section of our state and thereby render incalculable benefit to the producers of Eastern Oregon. And while the direct benefit would be derived by that section, yet we believe that the whole state would receive a benefit from the reduction of freight charges upon the products of that vast portion of our country which would give an impetus to the productions, agricultural, mineral and those of the manufacturer, and by giving these cheap transportations, by the natural water ways to our principal seaports, stimulate and benefit the entire state. We believe that the said road can be constructed for \$65,000 less than the amount asked for in the original bill, and therefore recommend that senate bill No. 44 do not pass, but we report a substitute for said senate bill No. 44 which we recommend do pass.

C. E. HARMON,
Chairman.

REPORT OF THE ENGINEER.

To the honorable the senate committee upon commerce and navigation :

GENTLEMEN: In compliance with instructions from your committee, the undersigned proceeded to The Dalles February 17, 1897, and next day examined the river and numerous persons familiar with its navigation with a view of ascertaining the highest point to which it is practicable to navigate it below proposed railway. I find this at the point known as "Big Eddy." This can be reached at any time when vessels can pass through the locks at the cascades. The United States government has already taken steps toward improving the only place of difficult passage below "Big Eddy," at "Three Mile Rapids," and said improvement will probably be made before the proposed portage railway could be put in operation. However, steamers can readily make the passage to "Big Eddy" under existing circumstances. At "Big Eddy" is judged to be the most feasible point for the commencement of the road.

At this point a rock, several acres in extent, rises perpendicularly from the water; the top being sixty-five feet above low, and thirteen feet above the highest known water. The water alongside is very deep, probably one hundred feet at low water. An incline at this point is out of the question because of its cost. A cheaper and more practicable means of transferring freight from boat to cars would be by an elevator. I have estimated the cost of an elevator, including a grain chute, landing stages, etc., convenient for the use of steamers at varying stages of the river, at \$5,000. This would probably provide for the present needs of the road. More capacious and expensive machinery could be placed when the demand arose. The fact that most of the freight would and could be sent down the chute will show that elevating machinery of large capacity is not necessary at the outset. Wood, delivered on the site of the road, can now be purchased at \$1.75 per cord; therefore, the cost of operating said elevator by steam would not be excessive.

From its lower terminus the road runs across a tract, the salient points of which are basaltic rock or gravel, and which are about at the grade of the proposed road. Between these points there are many depressions over which the road would be built upon trestle work from five to forty feet in height. At the present price of lumber, which can be bought and delivered along the line of road at \$8 per thousand, and considering the fact that the said trestle work would endure until more permanent relief than that afforded by the portage shall be given by works constructed by the United States government, the trestle work is the best practical construction to adopt. Therefore, in the estimates herein

contained, trestle work is adopted whenever same can be used instead of embankments, as would be advised in the construction of a more permanent road. Many sections of the road, which, in the report of details accompanying this, are noted as being built upon trestle work may, by slightly changing the grade, be built upon a low embankment, materially reducing the cost. Much of the rock cutting may be avoided by a change of direction or grade. These details can only be determined by a "location" of the road, expenses of which it is deemed expedient to incur at this time.

The estimates of cost herein made are intended to cover construction of the road of the character noted, of a three-foot gauge, and are exclusive of rolling stock and buildings, the former being owned by the state at the cascade portage and turned over to the management of this road by the provisions of the bill creating it. Of the latter there is little necessity, except for shelter of the locomotive and a small office, both of inconsiderable cost.

ESTIMATE OF COST.

Roadbed, trestles and culverts.....	\$ 74,025 50
Ties, 20,000 at 20 cents.....	4,000 00
Rails, 700 tons at \$28.....	18,200 00
Delivery rails at "Big Eddy".....	1,750 00
Rail joints.....	2,500 00
Spikes.....	1,100 00
Track laying.....	4,000 00
Ballasting.....	5,000 00
Subdelivery of material.....	2,500 00
Elevator.....	5,000 00
Ten per cent. for exigencies.....	11,807 50
Total.....	\$129,883 00

Details of this may be found in schedule A, accompanying.

No estimate is made of the cost of superintendence and engineering. Upon large works, this cost, together with officers, stationary instruments, rents, printing, law expenses and other incidentals, is generally estimated at ten per cent. In this case it is my belief that \$3,000 will cover all these items.

RIGHTS OF WAY.

This road passes over the land of F. A. and T. P. Seufert for over five miles of its distance. These gentlemen offer the state a right of way, free of all expenses except that of making the deed.

Mr. Taft of Celilo, also offers the right of way free, provided the portage runs over the ground now occupied by his switch between the cannery and residence of said Taft. As this is the only location which the road could well occupy without trespassing upon the line of the Oregon Railway and Navigation Company, the conditions are readily acceptable by the state.

The United States government has agreed upon terms for securing a right of way across the remaining property along the line of the proposed portage, and in some instances has paid for the same.

The portage will be built upon the rights of way secured by the government. Permission to build the state portage at Cascade Locks over the government reserve was secured from the United States engineers under similar circumstances, and it is the belief that no difficulty will be encountered in securing like permission in this case. The right of way, therefore, is secured without cost to the state.

I wish respectfully to call the attention of the committee to the possibility of securing trackage rights over the Oregon Railway and Navigation Company in the event of the appropriation by the state of a sufficient sum to construct this portage. Should this be secured the state would be required to rebuild the old inclines at Dalles City and Celilo and purchase suitable rolling stock. The rolling stock at the cascades is narrow gauge stock. This work would involve an outlay of less than \$50,000.

I therefore suggest that a section be inserted in the pending bill authorizing the superintendent of the Dalles Portage Railway to make trackage arrangements with the Oregon Railway and Navigation Company, and in case satisfactory arrangements are made to build such inclines and purchase such rolling stock as may be necessary to transport freight around the obstructions of the Columbia between Dalles City and Celilo.

I also suggest section 1 be amended to authorize the present board of portage commissioners to sell any property of the state formerly in use by the State Portage Railway at Cascade Locks, including real estate, and to convert the proceeds of said sale into the fund of the Dalles Portage Railway and make the same available for payment of accounts created in building said Dalles Portage Railway or inclines, or in the purchase of rolling stock therefor.

RESOURCES.

In the matter of resources I have obtained most of my data from the state census of Oregon for 1895, published by the secretary of state, and from *The Oregonian* of December 19, 1896, styled the Cascade Locks edition.

In the latter the opening sentence is "When the boat railway between The Dalles and Celilo is completed, Portland will be the great home port of 1,759 miles of navigable river, more or less continuous." It is also stated: "The Columbia contributes 940 miles. The longest continuous stretch, 330 miles, is between

the mouth of the Okanogan and Celilo." This mighty river, with its navigated tributaries that have a navigable connection with it, drains an area of fully 300,000 square miles * * * larger than the New England states with New York, Pennsylvania, Illinois and Iowa.

"There is free navigation on the Snake river for 195 miles between its mouth and 'Wild Goose' rapids, which are 45 miles above Lewiston." Then occurs obstructions, above which the Snake is again navigable for 145 miles.

Colonel Gillespie, United States engineer, in his report for 1883, says: "The Columbia is second only to the Mississippi in commercial value." In 1881-2 the value of the freight brought to Portland by The Dalles and Cascades route of the Oregon Steam Navigation Company reached \$6,017,103. Wheat alone reached over \$3,000,000 in value.

The town of Lewiston, at the mouth of the Clearwater in Idaho, has a territory of 4,000 miles tributary to it. "The only natural highway out of the valley is down the Snake and Columbia river to Portland." This town has no rail connection, but "with this teeming wealth in hand and in prospect there is every reason to believe that the opening of the dalles, thus giving to Lewiston valley water transportation to the sea, will develop the country." * * * "And it is for the interest of Portland business men to seek and hold a trade which pays for freight alone between \$350,000 and \$400,000 per year."

From these quotations, it may be seen that the building of a portage to overcome the obstructions in the Columbia between Dalles City and Celilo will open direct and unobstructed communication and navigation with 525 miles of river above said obstructions and indirect communication with nearly three times as much of the Columbia and its tributaries, the country bordering which is rich in agricultural and mineral resources.

The Oregon census, 1895, gives the following relative to the counties bordering upon or tributary to the waters of the Columbia, above The Dalles, in Oregon:—

Number of inhabitants (1895).....	65,212
Votes, election, November, 1896.....	18,000
Number of acres in cultivation.....	692,812
Number of bushels of grain.....	8,144,855
Number of pounds of wool.....	9,895,094
Number of animals.....	2,192,505
Value of exports.....	\$ 10,230,000
Tons of exports.....	360,000

This would give ten trains of ten cars each ten tons per car, each day of the year. It is estimated that the exports of tributary country in Washington and Idaho would reach fully three times as much more.

It is by no means to be inferred that it is thought the above amount of freight would be offered to the portage road in ques-

tion, but it is inferred that sufficient freight would be offered to pay expenses and to reimburse the state for its cost within ten years, and incidentally to favorably affect the freight rates upon the entire exports enumerated above.

In the case of the portage constructed by the state at the cascades, the reports of the "board of portage commissioners" for 1893-5 show a net earning of the road, and it is estimated by reliable business men that the saving to producers in reduced freight rates was more than three times the cost of the road during each year of its operation. This road relieved but forty-four miles in length of the river above its location.

Relative to the feasibility of a portage railway, I will state certain proceedings had and reports made by the United States engineers. "There has been constant demand ever since navigation began on the Upper Columbia for some sort of improvement between The Dalles and Celilo. The agitation culminated nine years ago in the appointment of a board of government engineers * * * with instructions to consider the subject and report. In August, 1888, the board met at Portland; * * * the second meeting took place at Washington, D. C., three months later. * * * The board submitted a preliminary report, presenting the several methods proposed * * *." These may be summarized as follows: *First*, by means of locks and canals and improving certain portions of the obstructions for open river navigation; *second*, by means of boat railways to pass the two principal obstructions at the dalles and Celilo falls, without improving the intervening river; *third*, by means of a portage railway extending from the foot of "Three-Mile Rapids" to above Celilo falls.

In its report the board expressed the opinion "that a single track portage railway, estimated to cost \$431,500, which could be constructed in one year if the funds were provided in time, would be the quickest and cheapest solution of the existing difficulties. It is applicable to all stages of the river, and with single terminal inclines would be adequate for present requirements, and with double terminal inclines, which can be constructed at small cost, its capacity could be largely increased, should commerce demand additional facilities. The objection to the method is the necessity for trans-shipment; but in view of the change in the character of the river navigation at this locality, this objection loses part of its force. An appropriation of the sum estimated for the portage railway was recommended as affording speedy relief, the railway to be replaced by a more satisfactory solution when occasion requires."

This report coming from the highest engineering authority

seems conclusive, and nothing that I could add could give further light upon the subject except relative to the estimate of cost.

The estimate above given was for a road nearly two miles longer than the one herein proposed. It was made for a standard gauge road four feet eight and one-half inch gauge, while my estimates are upon a narrow gauge, three feet gauge, in order to utilize material and rolling stock now owned by the state. It contemplated embankment throughout and no trestle work and was made when the cost of labor and material was much higher than at this date. So the estimates made by the United States engineers and those made by myself cannot well be compared.

Relative to the probability of construction of the "ship railway," the future can be judged only by the past. This board met nine years ago. Over two years ago proceedings were commenced to condemn right of way. At this date new trials are granted in the principal cases, involving at least another year of delay in that court. The probabilities are that the cases will be taken through the United States appellate and United States supreme courts, involving a probable delay of five years. Again, a bill committing the United States government to the policy of building railroads would undoubtedly meet with serious opposition.

There is a probability that ten years must elapse before relief will be available, coming from the United States.

This, I believe, touches upon all the points covered in my instructions from the committee. I cannot close this report without acknowledging the indebtedness of the committee for the many courtesies and great aid rendered to me by Messrs. F. A. and T. P. Seufert. From the time of my arrival upon the ground until my investigations were completed, their personal attention and teams were entirely at my disposal without cost to the state. They accompanied me, voluntarily, upon my trips of examination along the line of the proposed road through storms of rain and wind which most men would have refused to face even for a compensation.

Schedules and details accompany this report, which is most respectfully submitted by

Your obedient servant,

SAMUEL L. LOVELL.

To the senate committee upon commerce and navigation:

SCHEDULE A.

From point of commencement at "Big Eddy," I find the construction necessary as follows:—

Character of work.	Height.	Distance.	Cost.
	<i>Feet.</i>	<i>Feet.</i>	
Rock cut.....	3	300	\$ 210 00
Trestle.....	40	200	600 00
Trestle.....	20	1,125	1,985 00
Rock cut.....	2	225	150 00
Trestle.....	20	900	1,575 00
Rock cut (loose).....	5	450	525 00
Trestle.....	35	40	1,200 00
Trestle.....	25	600	1,200 00
Trestle.....	40	450	1,350 00
Rock cut (loose).....	3	250	175 00
Trestle.....	20	2,100	4,200 00
Trestle.....	15	6,400	9,600 00
Grade (sand blows).....		6,400	6,000 00
Grade (scattering boulders).....		6,000	8,000 00
Trestle.....	25	600	1,200 00
Trestle.....	40	450	1,200 00
Trestle.....	30	1,200	3,000 00
Grade (gravel).....		2,500	3,000 00
Trestle.....	5	5,000	7,000 00
Rock cut.....	5	450	800 00
Trestle.....	20	250	500 00
Trestle.....	10	1,200	1,400 00
Trestle.....	12	800	1,800 00
Rock cut.....	5	100	150 00
Trestle.....	40	2,200	6,600 00
Incline.....		1,000	5,000 00
Total.....		41,550	\$ 72,803 00

Trestle work in detail is as follows:—

Height of trestle.	Total length.	Cost per foot.	Total.
	<i>Feet.</i>		
40.....	3,800	\$ 3 00	\$ 9,900 00
35.....	400	2 75	1,100 00
30.....	1,200	2 60	3,120 00
25.....	1,200	2 35	2,820 00
20.....	4,875	2 10	9,187 50
15.....	6,400	1 87	11,968 00
12.....	800	1 75	1,400 00
10.....	1,200	1 60	1,920 00
5.....	5,000	1 60	8,000 00
Total cost of trestle.....		\$.....	\$ 49,415 50

Rock cutting in detail:—

Depth of cut.	Length of cut.	Cost.
	<i>Feet.</i>	
3.....	300	\$ 300 00
2.....	225	160 00
5.....	450	750 00
5.....	250	450 00
5.....	450	750 00
5.....	100	200 00
Total.....	1,775	\$ 2,610 00

Surface at above "grade" requiring low embankment:—

Character of material.	Length.	Cost.
	<i>Feet.</i>	
Gravel bar with sand ridge.....	6,400	\$ 6,000 00
Gravel bar with many boulders.....	6,000	8,900 00
Gravel bar with sand ridges.....	2,500	3,000 00
Total.....	14,900	\$ 17,000 00

Incline at upper terminus.....	\$ 5,000 00
Elevator at lower terminus.....	5,000 00
Total.....	\$10,000 00

Summary of cost of roadbed:—

Total cost of cutting.....	\$ 2,610 00
Total cost of embankment.....	17,400 00
Total cost of trestle.....	49,415 50
Total cost of incline at upper terminus.....	5,000 00
Total.....	\$74,025 50

Summary of cost of road:—

Cost of roadbed.....	\$ 74,025 50
Cost of ties, 20,000 at 20 cents.....	4,000 00
Cost of rails, 700 tons, 60-pound rails, at \$26 per ton, delivered at Portland ..	18,200 00
Cost of delivery of rails at "Big Eddy".....	1,750 00
Cost of delivery joints.....	2,500 00
Cost of delivery spikes.....	1,100 00
Cost of track laying.....	4,000 00
Cost of ballasting.....	5,000 00
Cost of subdelivery of material.....	2,500 00
Cost of elevator at lower terminus.....	5,000 00
Ten per cent. of above estimates added for contingency.....	11,632 50
Total cost of 41,550 feet of road.....	\$ 129,708 00

SCHEDULE B.

Productions, etc., of Eastern Oregon, as compiled from the state census of 1895:—

County.	Inhabitants.	Wheat.	Oats.	Barley.	Lumber.	Wool.	Sheep.	Horses.	Hogs.	Cattle.	Area in cultivation.
Baker	6,061	Bushels. 77,835	Bushels. 94,131	Bushels. 78,330	Feet. 15,510,000	Pounds. 81,705	8,724	1,017		4,765	26,616
Crook	3,212	41,865	32,922	37,354	1,030,000	1,983,325	267,658	11,695		26,192	26,904
Gilliam	3,016	628,677	21,905	101,184	800,000	633,256	96,422	8,801		8,854	52,072
Grant	4,132	54,201	20,554	22,780	394,000	2,001,689	644,150	9,135		18,309	29,485
Harney	2,465	20,008	20,962	27,776	1,125,000	620,490	150,639	10,735		41,753	37,054
Malheur	2,647	6,366	18,174			398,765	59,091	10,032		21,520	14,195
Morrow	3,407	701,172	22,252	118,566		1,129,107	156,605	6,996		5,404	78,716
Sherman	2,511	165,421	101,350	33,098		330,300	41,750	5,027		2,085	74,422
Umatilla	12,561	2,858,370	104,814	295,011		1,940,912	229,650	14,087		12,911	160,480
Union	10,865	724,228	271,968	245,482	22,707,300	285,015	42,889	12,730		20,322	104,577
Walla	3,881	115,683	78,890	70,223	926,000	335,190	53,902	7,650		15,095	25,187
Wallowa	10,385	574,043	66,620	88,698	1,050,000	255,340	145,418	7,080		8,419	63,094
Wasco											
Total	65,212	6,171,871	854,532	1,118,452	43,544,300	9,895,094	1,901,898	104,976		185,629	692,812

Total bushels of grain 8,144,855
 Total tons of grain 246,814
 Total number of animals 2,192,505
 Total value of animals \$ 6,500,000

SCHEDULE B.

Summary of extract from state census of 1895, showing certain facts relative to Eastern Oregon:—

Number of inhabitants, 12 counties.....	65,212
Number of acres under cultivation.....	692,812
Number of bushels of grain.....	8,144,855
Number of pounds of wool.....	9,895,094
Number of animals.....	2,192,505
Value of exports.....	\$10,230,000
Tons of exports.....	360,000

This weight of exports would make ten trains of ten cars each, ten tons per car, each day of the year.

SCHEDULE C.

Extracts from the reports of the board of portage commissioners relative to operation of the state portage railroad at Cascade Locks:—

Freight transported, 1891 and 1892, pounds.....	20,189,442
Freight transported, 1893 and 1894, pounds.....	23,211,690
Carloads animals, 1891 and 1892.....	155.5
Carloads animals, 1893 and 1894.....	247
Animal, 1891 and 1892, number.....	2,151
Animals, 1893 and 1894, number.....	3,109
Vehicles, 1891 and 1892, number.....	306
Vehicles, 1893 and 1894, number.....	435
Passengers, 1891 and 1892, number.....	8,215
Passengers, 1893 and 1894, number.....	13,210
Net revenue, 1891 and 1892.....	\$ 837.62
Net revenue, 1893 and 1894.....	1,077.41

Access to report covering 1895 and 1896 could not be obtained.

On motion of Senator Harmon, senate bill No. 237, substitute for senate bill No. 44, was read first time and passed to second reading without question.

Senate bill No. 237, substitute for senate bill No. 44, coming on for second reading, Senator Harmon moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Daly, Driver, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Dawson and Dufur—2.

So the rules were suspended and senate bill No. 237 was read second time by title only.

Senate bill No. 237 was referred to the committee on railroads.

Senator Johnson moved that the committee on ways and means report the mileage and per diem of the members.

The motion prevailed.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon, }
February 18, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senator Dawson, who was absent on leave, and Senators Brownell, Dufur, Harmon and Patterson of Washington.

Senator Price, chairman of the committee on irrigation, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon, }
February 18, 1897. }

Mr. President:

Your committee on irrigation, to whom was referred senate bill No. 224, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Amend section 7 so as to read as follows: "Sec. 7. As soon as the state receives a patent to any legal subdivision of the lands reclaimed, the board shall offer the same for sale in tracts of not more than 160 acres to any one person; *provided*, that said land shall not be sold for less than the amount of the lien thereon without the consent of the parties reclaiming the same; *and provided, further*, that said liens shall not exceed \$5 per acre; and if sold for more than said liens, all moneys received in excess thereof shall be paid into the state treasury for the benefit of the state common school fund."

A. R. PRICE,
Chairman.

On motion of Senator Price, the amendment was adopted.

On motion of Senator Price, senate bill No. 224 was ordered engrossed and passed to third reading.

On motion of Senator Reed, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, FEBRUARY 19, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. Mr. Farmer of the Baptist church.

On motion of Senator McClung, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Gowan, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 17, 1897. }

Mr. President:

Your committee on judiciary, to whom was referred senate bill No. 82, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In the first line of the printed bill, between the words "act" and "filed," insert the words "to amend an act."

AMENDMENT.

In section 1, line 6, strike out the figures "800" and insert "1,000."

AMENDMENT.

In line 8 of said section, strike out the figures "1,200" and insert the figures "1,000."

AMENDMENT.

In line 11 of said section, strike out the figures "700" and insert the figures "600."

AMENDMENT.

In line 15 of said section, strike out the figures "400" and insert the figures "500."

AMENDMENT.

In line 17 of said section, strike out the figures "800" and insert the figures "500."

AMENDMENT.

In line 20, strike out "\$600" and insert "\$500."

AMENDMENT.

In line 21, strike out "\$600" and insert "\$500."

AMENDMENT.

In line 22 of said section, strike out the figures "700" and insert the figures "800."

AMENDMENT.

In line 24 of said section, strike out the figures "1,000" and insert the figures "800."

AMENDMENT.

In line 26 of said section, strike out the figures "1,200" and insert the figures "1,500."

AMENDMENT.

In line 27 of said section, strike out the figures "800" and insert the figures "900."

AMENDMENT.

In line 28 of said section, strike out the figures "2,500" and insert the figures "3,000."

AMENDMENT.

In line 30 of said section, strike out the figures "300" and insert the figures "400."

AMENDMENT.

In line 32 of said section, strike out the figures "1,000" and insert the figures "1,200."

AMENDMENT.

In line 33 of said section, strike out the figures "1,000" and insert the figures "900."

AMENDMENT.

In line 37 of said section, strike out the figures "700" and insert the figures "800."

AMENDMENT.

In section 2 of said printed bill in line 6, strike out the figures "1,200" and insert the figures "1,500."

AMENDMENT.

In line 7 of said section 2, strike out the figures "700" and insert the figures "900."

AMENDMENT.

In line 11 of said section, strike out the figures "1,200" and insert the figures "1,800."

AMENDMENT.

In line 12 of said section, strike out the figures "1,000" and insert the figures "1,200."

AMENDMENT.

After line 12 of said section, insert the words "one deputy, 800."

AMENDMENT.

Following the above last named insertion, between lines 12 and 13 of said section, insert "Crook county, \$1,800; Curry county, \$1,000."

AMENDMENT.

In line 15 of said section, strike out the figures "600" and insert the figures "500."

AMENDMENT.

In line 16 of said section, strike out the figures "1,200" and insert the figures "1,500."

AMENDMENT.

In line 17 of said section, strike out the figures "2,000" and insert the figures "2,400."

AMENDMENT.

Strike out all of line 18 of said section.

AMENDMENT.

Strike out all of line 20 of said section.

AMENDMENT.

In line 21 of said section, strike out the figures "1,600" and insert the figures "1,200."

AMENDMENT.

In line 23 of said section, strike out the figures "1,000" and insert the figures "1,200."

AMENDMENT.

After line 23 of said section, insert under "Josephine county," the words and figures "one deputy, 600."

AMENDMENT.

In line 24, strike out "\$1,400" and insert "\$1,200."

AMENDMENT.

In line 25, strike out "\$1,400" and insert "\$1,200."

AMENDMENT.

In line 26 of said section, strike out the figures "1,600" and insert the figures "2,000."

AMENDMENT.

In line 27 of said section, insert the figures "900."

AMENDMENT.

After line 27 of said section, under Lincoln county, insert the words and figures "one deputy, 600."

AMENDMENT.

In line 28 of said section, strike out the figures "1,600" and insert the figures "1,500."

AMENDMENT.

After line 28 of said section, under Linn county, insert the words and figures "one deputy, 800."

AMENDMENT.

In line 31 of said section, strike out the figures "2,000" and insert the figures "2,500."

AMENDMENT.

In line 32 of said section, after the word county, strike out the words "one deputy" and insert the word "deputies," and in said line 32 last above named of said section, strike out the figures "1,400" and insert the figures "1,800."

AMENDMENT.

Strike out all of line 34 of said section.

AMENDMENT.

In line 35 of said section, strike out "\$1,500" and insert "\$1,300."

AMENDMENT.

In line 36 of said section, strike out the figures "1,000" and insert the figures "1,200."

AMENDMENT.

In line 37 of said section, strike out the figures "1,200" and and insert the figures "1,600."

AMENDMENT.

Strike out all of line 38 of said section.

AMENDMENT.

In line 39 of said section, strike out the figures "1,600" and insert the figures "2,000."

AMENDMENT.

After line 40 of said section, under Union county, insert the words and figures "first deputy, 900; second deputy, 750."

AMENDMENT.

After line 42 of said section, under Wasco county, insert the words and figures "one deputy, 900."

AMENDMENT.

In line 43 of said section, strike out the figures "1,200" and insert the figures "2,500."

AMENDMENT.

Strike out all of line 44 of said section.

AMENDMENT.

In line 45 of said section, strike out the figures "1,400," and insert the figures "1,800."

AMENDMENT.

Strike out all of line 46 of said section.

AMENDMENT.

In section 2 of said section 2 of said printed bill, in line 4, after the word "thousand" insert the words "five hundred."

AMENDMENT.

In section 3 of said printed bill, in line 3, strike out the figures "1,200" and insert the figures "1,500."

AMENDMENT.

In line 7 of said section, strike out the figures "1,200" and insert the figures "1,000."

AMENDMENT.

In line 8 of said section, strike out the figures "1,500" and insert the figures "1,200."

AMENDMENT.

In line 9 of said section, strike out the figures "1,000" and insert the figures "1,500."

AMENDMENT.

In line 10 of said section, after the word "Marion," strike out the words "one deputy" and insert the word "deputies."

AMENDMENT.

Also in said line 10, strike out the figures "700" and insert the figures "1,200."

AMENDMENT.

In line 11 of said section, strike out the figures "1,500" and insert the figures "1,800."

AMENDMENT.

Strike out all of lines 12 and 13 of said section.

AMENDMENT.

In line 14 of said section, strike out the figures "1,000" and insert the figures "1,200."

AMENDMENT.

Strike out all of line 15 of said section.

AMENDMENT.

In line 16 of said section, strike out the figures "1,200" and insert the figures "1,400."

AMENDMENT.

Strike out all of line 17 of said section.

AMENDMENT.

In line 18 of said section, strike out the figures "3,000" and insert the figures "3,500."

AMENDMENT.

In section 4, in line 3, strike out the figures "1,600" and insert the figures "2,000."

AMENDMENT.

In line 4 of said section, strike out the figures "1,000" and insert the figures "1,200."

AMENDMENT.

In line 5, strike out the figures "700" and insert the figures "900."

AMENDMENT.

In line 9, strike out the figures "1,200" and insert the figures "1,500."

AMENDMENT.

In line 10, strike out the figures "1,600" and insert the figures "2,000."

AMENDMENT.

In line 12, strike out the figures "1,000" and insert the figures "1,200."

AMENDMENT.

In line 13, strike out the figures "2,000" and insert the figures "2,500."

AMENDMENT.

In line 14, strike out the figures "800" and insert the figures "1,000."

AMENDMENT.

In line 15, strike out the figures "1,600" and insert the figures "2,000."

AMENDMENT.

In line 16, strike out the figures "2,000" and insert the figures "2,600."

AMENDMENT.

Strike out all of line 17 of said section.

AMENDMENT.

In line 18, strike out the figures "2,000" and insert the figures "2,400."

AMENDMENT.

Strike out all of line 19 of said section.

AMENDMENT.

In line 21, strike out the figures "1,200" and insert the figures "1,000."

AMENDMENT.

In line 22, strike out the figures "1,200" and insert the figures "1,500."

AMENDMENT.

After line 22, under Josephine county, insert the words and figures "one deputy, 600."

AMENDMENT.

In line 25, strike out the figures "1,600" and insert the figures "2,000."

AMENDMENT.

In line 26, strike out the figures "1,600" and insert the figures "1,200."

AMENDMENT.

After line 26, under Lincoln county, insert the words and figures "one deputy, 600."

AMENDMENT.

In line 27, strike out the figures "1,600" and insert the figures "1,800."

AMENDMENT.

After line 27, under Linn county, insert the words and figures "one deputy, 800."

AMENDMENT.

In line 30, strike out the figures "2,500" and insert the figures "3,000."

AMENDMENT.

In line 31, strike out the figures "2,000" and insert the figures "2,500."

AMENDMENT.

In line 32, strike out the figures "2,000" and insert the figures "2,400."

AMENDMENT.

Strike out all of line 33 of said section.

AMENDMENT.

In line 34, strike out "\$1,600" and insert "\$1,500."

AMENDMENT.

In line 36, strike out the figures "1,500" and insert the figures "1,800."

AMENDMENT.

In line 37, strike out the figures "1,300" and insert the figures "1,600."

AMENDMENT.

Strike out all of line 38 of said section.

AMENDMENT.

In line 39, strike out the figures "2,000" and insert the figures "2,500."

AMENDMENT.

In line 42, strike out the figures "700" and insert the figures "800."

AMENDMENT.

In line 44, strike out the figures "2,000" and insert the figures "2,200."

AMENDMENT.

After line 44, under Wasco county, insert the words and figures "one deputy, 1,200."

AMENDMENT.

In line 45, strike out the figures "1,500" and insert the figures "2,500."

AMENDMENT.

Strike out all of line "46" of said section.

AMENDMENT.

In line 27, strike out the figures "1,600" and insert the figures "2,000."

AMENDMENT.

Strike out all of line "48" of said section.

AMENDMENT.

In line 49, strike out the figures "4,000" and insert the figures "4,500."

AMENDMENT.

In line 50 of said printed bill of said last named section, strike out the word "county" following the word "Multnomah."

AMENDMENT.

Add the following to section 5 of said printed bill: "*Provided, however, that in the county of Multnomah the fees, percentages, commissions and charges, established by law, or in any manner allowed for the performance of any act or duty by or required of the county assessor, sheriff, clerk of the circuit court, clerk of the county court, recorder of conveyances or any of the other officers named in this act (except services rendered for or on behalf of the state, or for or on behalf of Multnomah county for which no charge shall be made), shall continue and remain the established fees, percentages, commissions and charges for such act or duty; and the respective officers herein named are hereby required to collect from the person or party for whom service may be rendered, or who may be charged with the payment thereof, said fees, percentages, commissions and charges for such duty performed or to be performed, as provided by law, for the use and benefit of Multnomah county, and said officers shall pay over the same to the county treasurer of Multnomah county on or before the first day of each and every month.*"

AMENDMENT.

In section 12 of said printed bill, in line 7 of section 1 thereof, strike out the figures "500" and insert the figures "600."

AMENDMENT.

In line 12 of said section 7, strike out the figures "500" and insert the figures "600."

AMENDMENT.

In line 15 of said section 7, strike out the figures "800" and insert the figures "900."

AMENDMENT.

In line 16 on said section 7, strike out the figures "250" and insert the figures "400."

AMENDMENT.

In line 17 of said section 7, strike out the figures "700" and insert the figures "600."

AMENDMENT.

In line 18 of said section 7, strike out the figures "600" and insert the figures "500."

AMENDMENT.

In line 19 of said section 7, strike out the figures "700" and insert the figures "800."

AMENDMENT.

In line 23, strike out the figures "400" and insert the figures "500."

AMENDMENT.

In line 25, strike out the figures "800" and insert the figures "900."

AMENDMENT.

In line 26 of said section, strike out the figures "1,000" and insert the figures "1,200."

AMENDMENT.

In line 28, strike out the figures "1,800" and insert the figures "2,000."

AMENDMENT.

In line 29, strike out the figures "400" and insert the figures "500."

AMENDMENT.

In line 31, strike out the figures "300" and insert the figures "400."

AMENDMENT.

In line 33, strike out the figures "700" and insert the figures "1,000."

AMENDMENT.

In line 34, strike out the figures "600" and insert the figures "700."

AMENDMENT.

In line 36, strike out the figures "500" and insert the figures "600."

AMENDMENT.

In line 38, strike out the figures "500" and insert the figures "600."

AMENDMENT.

In line 7 of section 13 of printed bill, strike out the word "three" and insert the word "four."

AMENDMENT.

In line 8, insert the words "Benton, Columbia, Coos, Curry, Jackson, Lane, Lincoln, Polk, Washington and Yamhill."

AMENDMENT.

In line 9, strike out the word "four" and insert the word "three." And after the word "assessors" in said line 9 insert the following words: "And in Douglas county, where the assessor shall receive \$1,200 per annum for his services; in Marion county, where the assessor shall receive \$4 per day, and his deputies \$3 per day for their services as such assessors; in Linn county, where the assessor shall receive \$1,200 per annum for his services as such assessor, payable monthly, and he may appoint as many deputies as the county court may by order authorize, each of which deputies shall be paid at the rate of \$2.50 per day for the time actually employed, the amount expended by said Linn county in the payment of such deputy assessors not to exceed the sum of \$1,000 per annum; and in Multnomah county, where the assessor shall receive a yearly salary of \$3,000, payable in equal monthly installments out of the county treasury of Multnomah county, which sum of \$3,000 shall be in full compensation for all services rendered by said county assessor of Multnomah county, and said county assessor of Multnomah county may appoint as many deputies as the county court of said county shall by order authorize, the compensation of such deputies to be fixed by the county court of said county, no other salary, fees, commissions, percentages, or compensation of any kind to be allowed to or received by the county assessor of Multnomah county or any of the deputies appointed as herein provided."

AMENDMENT.

In line 11 of said section 13, strike out the word "they" and insert the word "assessors."

AMENDMENT.

In line 12 of said section, strike out the words "counties of" and insert the words "Union county, where he shall receive \$2,500 per annum for his services as assessor in full compensation for his services."

AMENDMENT.

In line 15 of said section, strike out the word "five" and insert the word "three."

AMENDMENT.

After the word "of" in said line 15, insert the words "Gilliam, Klamath, Lake, Union, Wasco, Umatilla, Polk and Yamhill, where they shall receive \$4 per day, and except in the counties of Grant, Harney, Morrow, Baker and Malheur, where they shall receive \$5 per day."

AMENDMENT.

In line 3 of section 15, strike out the figure "7" and insert the figure "8," and add the following words: "Except in the counties of Multnomah, Morrow, Douglas, Union, Jackson, Crook, Klamath and Lake, where it shall take effect and be in force from and after its approval by the governor, there being an emergency for this act taking effect in said last named counties at an earlier date."

A. W. GOWAN,
Chairman.

On motion of Senator Gowan, the amendments were adopted. Senator Reed moved that senate bill No. 82 be recommitted. Senator Gowan moved that the motion to recommit be laid on the table.

The motion to lay on the table prevailed.

Senator Selling moved that when the senate adjourn it adjourn until Monday, February 22, at 2:30 p. m.

On this motion Senators Patterson of Marion and Driver demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Carter, Dawson, Gesner, Hobson, Holt, King, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Selling, Smith, Wade and Mr. President—16.

Nays—Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Haseltine, Hughes, Johnson, Patterson of Marion, Price, Reed and Taylor—14.

Senator Smith moved to reconsider the vote to adjourn until Monday.

The motion was lost.

Senator Gowan, chairman of the special committee to whom was referred senate resolution No. 12, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 19, 1897. }

Mr. President:

Your special committee, appointed under senate resolution No. 12, to examine the books and accounts of the state librarian and to ascertain the condition and requirements of the state library, beg leave to report that we find the books and accounts of the state librarian have been accurately and neatly kept. The incidental expenses of the library have been kept within the appropriation, and are as follows:—

Date.	To whom paid.	Voucher.	Amount.
1895.			
Mar. 31	Sun Publishing Company	1285	\$ 1 30
April 3	Western Union Telegraph Company	1621	1 68
25	Capital Journal	1820	6 00
29	Oregon Telephone and Telegraph Company	1834	24 10
May 2	Pacific Postal Telegraph Company	1850	1 05
June 4	Wells, Fargo and Company's Express	2735	65
7	B. F. Bonham, postmaster	2325	10 00
27	Review Publishing Company	2506	5 00
27	Statesman Publishing Company	2507	6 50
27	Central Law Journal Company	2508	5 00
27	Publishers' Weekly	2509	5 00
27	Morning Oregonian	2510	7 80
July 1	Patton Brothers	2908	8 50
2	Oregon Telephone and Telegraph Company	2936	16 80
9	Evening Post	3155	2 25
Aug. 10	Daily sun	3584	3 25
Sept. 5	George Cheeney	3874	6 30
27	Scio Weekly	4187	2 00
30	Capital City Bindery	4151	52 25
30	Oregon Telephone and Telegraph Company	4430	16 55
Nov. 19	B. F. Bonham, postmaster	5420	10 00
Dec. 3	F. K. Lovell	5481	1 97
4	Wells, Fargo and Company's Express	5537	1 00
8	Portland Weekly Dispatch	5784	1 50
1896.			
Jan. 6	Morning Oregonian	6220	5 10
22	Buren and Hamilton	6495	18 05
24	Capital Journal	6583	6 00
24	Corvallis Gazette	6587	2 65
24	Public Opinion Company	6588	3 00
28	Oregon Telephone and Telegraph Company	6543	15 90
Feb. 7	Western Union Telegraph Company	6788	3 42
Mar. 9	C. H. Wilcox	7049	1 50
28	B. F. Bonham, postmaster	7101	10 00
April 8	Evening Post	7422	1 20
13	Oregon Telephone and Telegraph Company	7783	24 05
14	J. B. Putnam	7786	1 85
May 20	J. B. Putnam	8187	5 00
June 17	C. Northcutt	8365	2 40
26	J. B. Putnam	8417	29 60
July 6	Yaquina Post	8862	2 00
23	Oregon Telephone and Telegraph Company	9216	20 25
Oct. 1	Oregon Telephone and Telegraph Company	10134	26 55
7	Portland Weekly Dispatch	10401	1 50
19	Wells, Fargo and Company's Express	10647	5 50
Nov. 20	G. W. Wannemacher	10971	1 30
Dec. 2	B. F. Bonham, postmaster	11031	13 11
3	Statesman Publishing Company	11033	13 00
28	San Francisco Call	11393	1 50
28	Patton Brothers	11394	8 90
28	Public Opinion Company	11395	3 00
31	J. B. Putnam	11830	1 10
31	Oregon Telephone and Telegraph Company	11846	18 50
31	Independence West Side	11859	6 00

The itemized vouchers covering each of the above accounts are on file in the office of the secretary of state. The library is well cared for and the rules for the government of the same are strictly enforced by the librarian.

Number of volumes reported by catalogue of 1895	20,100
Number of volumes received since January, 1895	1,596
Total number in library	21,696

A large number of valuable books have accumulated for which there is no place of storage, except upon the floor, owing to the inadequate number of bookcases. Your committee, therefore, recommend that an appropriation of \$500 be made for the pur-

pose of providing such additional bookcases as may be required for the proper care of the volumes now accumulating. We recommend that the clerk of this committee be allowed \$5 per day for the time actually employed.

A. W. GOWAN,
Chairman.

On motion of Senator Gowan, the report was adopted.
On motion of Senator Dawson, the senate adjourned.

S. L. MOORHEAD,
Chief Clerk.

MONDAY, FEBRUARY 22, 1897.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 22, 1897. }

The senate was called to order at 2:30 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present except Senator Calbreath.

On motion of Senator McClung, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Taylor, chairman of the committee on ways and means, by unanimous consent, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 22, 1897. }

Mr. President:

Your committee on ways and means, to whom was referred the motion to ascertain the per diem and mileage of the members of the nineteenth biennial session of the legislature of the state of Oregon, beg to report as follows:

We find that there is due:—

Name.	Miles.	Days.	Total.
George W. Bates	104	40	\$ 185 60
George C. Brownell		40	120 00
J. F. Calbreath	208	40	151 20
Tolbert Carter	60	40	129 00
B. Daly	982	40	267 30
S. A. Dawson	68	40	130 20
I. D. Driver	144	40	141 60
E. B. Dufur	208	40	151 20
Alouzo Gesner		40	120 00
A. W. Gowan	1,352	40	322 60
C. E. Harmon	760	40	234 00
J. E. Haseltine	104	40	135 60
W. H. Hobson	36	40	125 40
S. H. Holt	562	40	204 30
S. Hughes	162	40	144 30
A. J. Johnson	328	40	169 20
Will R. King	320	40	243 00
Donald Mackay	104	40	135 60
J. H. McClung	144	40	141 60
John Michell	280	40	162 00
B. F. Mulkey	30	40	124 50
I. L. Patterson		40	120 00
G. W. Patterson	150	40	142 50
A. R. Price	608	40	211 20
A. W. Reed	328	40	169 20
Ben Selling	104	40	135 60
Joseph Simon	104	40	215 60
John H. Smith	504	40	165 60
T. C. Taylor	568	40	205 20
Justus Wade	740	40	231 00

T. C. TAYLOR,
Chairman.

By request of Senator Dufur, his mileage was reduced from 560 miles to 208 miles.

By request of Senator Brownell, his mileage as reported by the committee was stricken out.

On motion of Senator Taylor, the report of the committee was adopted as amended.

Senator Michell moved, in honor of Washington's birthday, that the senate do now adjourn.

Senators Johnson and Driver demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Carter, Dawson, Gesner, Haseltine, Hobson, Holt, Hughes, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Selling and Mr. President—15.

Nays—Senators Brownell, Daly, Driver, Dufur, Gowan, Harmon, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade—14.

Absent—Senator Calbreath—1.

So the motion to adjourn prevailed.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, FEBRUARY 23, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 23, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Patterson of Washington, the reading of the journal of yesterday's proceedings was dispensed with.

Unanimous consent being given, Senator Harmon introduced senate resolution No. 26.

SENATE RESOLUTION NO. 26.

Resolved, That the pages of this senate and state printer receive compensation for their services of this session of the legislature at the rate of \$2 per diem, and that the clerk of the senate furnish the secretary of state with a copy of this resolution.

Senator Harmon moved the adoption of the resolution.

Senator Selling moved to amend by striking out the page for the state printer.

The amendment was lost.

Senator Reed moved that the resolution be laid on the table.

The motion prevailed, and senate resolution No. 26 was laid on the table.

On motion of Senator Reed, the senate took a recess for ten minutes.

The senate was called to order by the president.

Unanimous consent being given, Senator McClung introduced senate resolution No. 27.

SENATE RESOLUTION NO. 27.

Whereas, the nineteenth biennial session of the legislative assembly of the state of Oregon is nearing a close and the compensation of the permanent officers have not been fixed; therefore, be it

Resolved, That the special committee appointed to fix the compensation of clerks of standing committees be and are hereby instructed to report to the senate the compensation of the following officers of the senate:—

Chief clerk, assistant chief clerk, reading clerk, calendar clerk, sergeant-at-arms, mailing clerk, doorkeeper and pages.

On motion of Senator McClung, the resolution was adopted.

On motion of Senator Reed, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon, }
February 23, 1897. }

The senate was called to order at 2 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and all the senators were present.

By unanimous consent, Senator Reed introduced senate resolution No. 28.

SENATE RESOLUTION NO. 28.

Resolved, That the senate adjourn without day on Wednesday, the twenty-fourth day of February, A. D. 1897, at the hour of twelve (12) meridian.

After the reading of the resolution by the clerk, Senator Reed moved its adoption. The president stated that, under article IV, section 11 of the constitution, neither house had the right, without the concurrence of the other, to adjourn without day. The present session of the legislature had convened at the capital of the state, on the eleventh of January, pursuant to the constitution and laws, and both branches of the legislature proceeded to effect organization. The senate succeeded in effecting a permanent organization, but the house had failed to do more than to effect a temporary organization, as has heretofore been determined by the senate. In the judgment of the chair, so long as the house continues its temporary organization, and attempts in good faith to effect a permanent organization, the senate has no power to dissolve the legislature by the action contemplated by the resolution, and until such time as the house shall dissolve itself, or fail to make in good faith an effort to effect a permanent organization, it is the duty of the senate to continue in session and await the result of the attempted organi-

zation of the house. So long as the house continues its temporary organization and its efforts to effect a permanent organization, which the senate is bound to take notice of, this body, as a coördinate branch of the legislature, has no power to adjourn *sine die*. For these reasons the president held that the resolution was not in order and could not be entertained by the senate.

An appeal was taken from the decision of the chair by Senator Reed, and, the appeal having been seconded and stated, it was discussed at considerable length, and, upon a vote being taken, those voting in favor of sustaining the decision of the chair were: Senators Bates, Dawson, Gesner, Haseltine, Mackay, McClung, Michell, Mulkey, Patterson of Washington and Selling—10.

Those voting against sustaining the decision of the chair were —

Senators Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gowan, Harmon, Hobson, Holt, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade — 19.

Not voting— Mr. President—1.

Upon the conclusion of the roll call, and having announced the result of the vote, the president announced that the senate had, by a majority vote, overruled the decision of the chair and had determined that the resolution was in order and was before the senate for its consideration.

In pursuance of the vote of the senate, the chair then submitted to the senate for its vote, the resolution offered by Senator Reed.

Senator McClung moved to amend that the senate adjourn *sine die* when it shall be determined that the house cannot be legally organized.

On this amendment Senators Reed and Patterson of Marion called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Dawson, Gesner, Haseltine, Holt, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Selling and Mr. President—12.

Nays—Senators Brownell, Calbreath, Carter, Daly, Driver, Dufur, Gowan, Harmon, Hobson, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade—18.

So the amendment was lost.

Senators Reed and Johnson called for the ayes and nays on the adoption of senate resolution No. 28.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Carter, Daly, Driver, Dufur, Gowan, Har-

mon, Hobson, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade—17.

Nays—Senators Bates, Calbreath, Dawson, Gesner, Haseltine, Holt, Mackay, McClung, Michell, Mulkey, Patterson of Washington, Selling and Mr. President—13.

The president then announced that the senate had by its action determined that the resolution was adopted.

On motion of Senator Patterson of Marion, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

WEDNESDAY, FEBRUARY 24, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 24, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senator Selling.

The morning session of the senate was opened with prayer by Rev. John Parsons.

The journal of yesterday's proceedings was read and approved.

Senator Gowan, chairman of special committee, submitted the following report:—

REPORT.

SENATE CHAMBER,
SALEM, Oregon,
February 24, 1897. }

Mr. President:

Your committee, to whom was referred the subject of fixing the salaries of the officers of the nineteenth biennial session of the senate, beg leave to report as follows: Chief clerk, per diem, \$8; assistant chief clerk, per diem, \$6; calendar clerk, per diem, \$6; reading clerk, per diem, \$6; mailing clerk, per diem, \$4; sergeant-at-arms, per diem, \$5; doorkeeper, per diem, \$5; three pages, two for the senate and one for the state printer, per diem, \$2.50.

A. W. GOWAN,
Chairman.

Senator Gowan moved the adoption of the report.

Senator Dufur moved to amend the report, fixing the salary of the reading clerk at \$8 per day.

Senator Johnson moved to amend the amendment fixing the salary of the chief clerk and reading clerk at \$7.50 per day.

Senator Gowan moved that the report be recommitted to the committee on ways and means, with instructions to fix the salary of the chief clerk at \$10 per day and assistant clerk, calendar clerk and reading clerk at \$7.50 per day.

On the motion to recommit, Senators Gesner, McClung and Johnson called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Brownell, Dufur, Gowan, Harmon and Haseltine — 5.

Nays—Senators Bates, Calbreath, Carter, Daly, Dawson, Driver, Gesner, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Smith, Taylor, Wade and Mr. President — 24.

Absent — Senator Selling — 1.

So the motion was lost.

On the motion to amend the amendment, Senators McClung and Holt called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Brownell, Driver, Dufur, Haseltine, Johnson, King and Michell — 7.

Nays—Senators Bates, Calbreath, Carter, Daly, Dawson, Gesner, Gowan, Harmon, Hobson, Holt, Hughes, Mackay, McClung, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President — 22.

Absent — Senator Selling — 1.

So the motion to amend the amendment was lost.

On the motion to amend, Senators Holt and Johnson called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Brownell, Driver, Dufur, Gowan, Harmon, Haseltine, Michell, Price and Taylor — 9.

Nays—Senators Bates, Calbreath, Carter, Daly, Dawson, Gesner, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Mulkey, Patterson of Marion, Patterson of Washington, Reed, Selling, Smith, Wade and Mr. President — 20.

Absent — Senator Selling — 1.

So the motion to amend was lost.

On the motion of the adoption of the report of the committee, Senators Johnson and Holt called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Calbreath, Carter, Dawson, Driver, Dufur, Gesner, Gowan, Haseltine, Hobson, Hughes, Mackay, McClung, Mulkey, Patterson of Washington, Price, Reed, Smith, Taylor, Wade and Mr. President—22.

Nays—Senators Daly, Harmon, Holt, Johnson, King, Michell and Patterson of Marion—7.

Absent—Senator Selling—1.

So the report was adopted.

On motion of Senator Reed, the senate took a recess of thirty minutes.

The senate was called to order by the president.

Senate bill No. 238. Senator Gowan (by request, by unanimous consent). A bill for an act to fix salaries of officers of Benton county; to regulate appointment of deputies and payment of their salaries, and to provide for payment of fees into the treasury of the county.

Senator Gowan moved that the rules be suspended and that senate bill No. 238 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bates, Brownell, Carter, Dawson, Driver, Dufur, Gesner, Gowan, Harmon, Haseltine, Hobson, Holt, Hughes, Johnson, King, Mackay, McClung, Michell, Mulkey, Patterson of Marion, Patterson of Washington, Price, Reed, Selling, Smith, Taylor, Wade and Mr. President—28.

Nays—None.

Absent—Senators Calbreath and Daly—2.

So the rules were suspended and senate bill No. 238 was read first time by title only and passed to second reading.

On motion of Senator Holt, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 24, 1897. }

The senate was called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present except Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade.

The president announced that there was less than a quorum present.

On motion of Senator Selling, the senate adjourned.

S. L. MOORHEAD,
Chief clerk.

THURSDAY, FEBRUARY 25, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon, }
February 25, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present except Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Hobson, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade.

Senator Dawson was excused from attendance until tomorrow.

Senator McClung was excused from attendance until Saturday, on account of the death of a relative.

Senator Haseltine was excused from attendance until Monday, on account of business.

Senator Carter was excused from attendance until notified by the president to appear.

The president announced that there was less than a quorum present.

On motion of Senator Dawson, the senate adjourned until 10 o'clock tomorrow.

S. L. MOORHEAD,
Chief clerk.

FRIDAY, FEBRUARY 26, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 26, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and the following senators were present: Senators Bates, Gesner, Holt, Mackay, Michell, Mulkey, Selling and Mr. President.

The following senators were absent on leave: Senators Carter, Dawson, Haseltine, Hobson, Patterson of Washington and McClung.

Those absent without leave were: Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade.

The following senators were excused from attendance until Monday: Senators Gesner, Mitchell, Mulkey and Selling.

The president announced that there was less than a quorum present.

On motion of Senator Bates, the senate adjourned until tomorrow at 10 o'clock a. m.

S. L. MOORHEAD,
Chief clerk.

SATURDAY, FEBRUARY 27, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
February 27, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and the following senators were present: Senators Bates, Dawson, Holt, Mackay, Patterson of Washington and Mr. President.

Absent on leave: Senators Carter, Gesner, Haseltine, Hobson, McClung, Michell, Mulkey and Selling.

Absent without leave: Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade.

Leave of absence was granted Senators Dawson and Patterson of Washington until 2 p. m. Tuesday, March 2.

The president announced less than a quorum present.

On motion of Senator Mackay, the senate adjourned until 7:30 p. m. Monday, March 1, 1897.

S. L. MOORHEAD,
Chief clerk.

MONDAY, MARCH 1, 1897.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
March 1, 1897. }

The senate was called to order at 7:30 o'clock p. m. by the president, pursuant to adjournment.

The roll was called and the following senators were present: Senators Bates, Holt, Mackay, Michell, Selling and Mr. President.

Absent on leave: Senators Dawson, Carter, Haseltine, Mulkey, Patterson of Washington and Hobson.

Senators Gesner and McClung were excused from attendance Monday and Tuesday.

Absent without leave: Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade.

The president announced that there was less than a quorum present.

On motion of Senator Mackay, the senate adjourned until 10 o'clock a. m. tomorrow.

S. L. MOORHEAD,
Chief clerk.

TUESDAY, MARCH 2, 1897.

MORNING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
March 2, 1897. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and the following senators were present: Senators Bates, Holt, Mackay, Michell, Selling and Mr. President.

Absent on leave: Senators Carter, Dawson, Gesner, Haseltine, Hobson, McClung, Mulkey and Patterson of Washington.

Absent without leave: Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade.

The president announced that there was less than a quorum present.

On motion of Senator Selling, the senate adjourned until 4 o'clock p. m.

S. L. MOORHEAD,
Chief Clerk.

AFTERNOON SESSION.

SENATE CHAMBER,
SALEM, Oregon,
March 2, 1897. }

The senate was called to order at 4 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and the following senators were present: Senators Bates, Dawson, Holt, Mackay, Michell, Selling and Mr. President.

Absent on leave: Senators Carter, Gesner, Haseltine, Hobson, McClung, Mulkey and Patterson of Washington.

Absent without leave: Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade.

The president announced that there was less than a quorum present.

On motion of Senator Selling, the senate adjourned until 7:30 o'clock p. m.

S. L. MOORHEAD,
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,
SALEM, Oregon,
March 2, 1897. }

The senate was called to order at 7:30 o'clock p. m. by the president, pursuant to adjournment.

The roll was called, and the following senators were present: Senators Bates, Dawson, Holt, Mackay, Michell, Selling and Mr. President.

Absent on leave: Senators Carter, Gesner, Haseltine, Hobson, McClung, Mulkey and Patterson of Washington.

Absent without leave: Senators Brownell, Calbreath, Daly, Driver, Dufur, Gowan, Harmon, Hughes, Johnson, King, Patterson of Marion, Price, Reed, Smith, Taylor and Wade.

The president announced that there was less than a quorum present.

Unanimous consent being given, Senator Bates introduced senate resolution No. 30.

SENATE RESOLUTION NO. 30.

Whereas, for the purpose of perfecting a complete and proper organization of the house every possible effort has been made by it to secure the return of the members who have absented themselves without leave; and

Whereas, the processes issued under the direction of the house to secure the return of such absent members have been resisted and its officers arrested, and suits have been instituted, designed to complicate and delay the same, intending thereby to prevent the enactment of remedial legislation and the election of a United States senator; and

Whereas, the high-handed and revolutionary tactics adopted by the members of the house in so absenting themselves therefrom and resisting all efforts made to compel their attendance make it manifest that it will be impossible to secure a constitutional quorum to transact business; and

Whereas, the senate has been for nearly a week past without a quorum to transact business for like reasons, and it is now apparent that a dissolution of the legislature is imperative; therefore, be it

Resolved by the senate, That the senate now dissolve, and the members thereof return to their respective homes.

Senator Bates moved the adoption of the resolution.

The motion prevailed, and the senate was dissolved.

S. L. MOORHEAD,
Chief clerk.

CHIEF CLERK'S CERTIFICATE.

SENATE CHAMBER,
SALEM, Oregon,
March 2, 1897. }

I, S. L. Moorhead, chief clerk of the senate, hereby certify that the foregoing is a true and correct journal of the proceedings of the senate of the nineteenth biennial session of the legislative assembly of the state of Oregon from the eleventh day of January, 1897, to the second day of March, 1897, both days included.

S. L. MOORHEAD,
Chief clerk.

CERTIFICATE OF APPROVAL.

SENATE CHAMBER,
SALEM, Oregon,
March 4, 1897. }

We, the committee appointed under senate resolution No. 25, to examine, correct and approve the journal of the senate of the nineteenth biennial session of the legislative assembly of the state of Oregon, beg leave to report that we have performed the duty assigned to us, and hereby approve the same.

ALONZO GESNER,
JOHN MICHELL.

CERTIFICATE OF THE SECRETARY OF STATE.

OFFICE OF THE SECRETARY OF STATE, }
SALEM, Oregon, }
November 10, 1898. }

I, HARRISON R. KINCAID, secretary of state of Oregon and custodian of the seal of said state, do hereby certify that the foregoing 372 pages of typewriting contain a true copy of the journal of the senate of the nineteenth regular legislative assembly, held in January and February, 1897, as the same appears on file in my office and custody, and is furnished to the state printer as required by house concurrent resolution No. 14 of the special session of the twentieth legislative assembly, held in September and October, 1898. Repetitions, omissions, misspelled words and ungrammatical expressions appearing in the foregoing copy are exactly as were written in the original senate journal.

In witness whereof, I have hereunto set my hand and affixed the seal of the state of Oregon this tenth day of November, A. D. 1898.

H. R. KINCAID,
Secretary of state.

APPENDIX.

GOVERNOR'S MESSAGE.

Gentlemen of the Legislative Assembly:

You have assembled, in obedience to the requirements of the constitution, for the purpose of enacting such laws as, in your judgment, may be needed, better to protect the rights of person and property, to conserve the public interests, and to promote the general welfare. The important duty is devolved upon you to repeal or modify all laws that unjustly or injuriously affect the citizen in his constitutional rights, and to enact such others as will secure to him the full benefit of the constitutional guaranty of protection to life, liberty, and property, and of the right to dispose of his labor, and to pursue his happiness according to his own judgment. The important duty is also devolved upon you to carry out the mandate of the people, expressed in their platforms, for retrenchment and reform; to apply the knife to abuses and hidden emoluments, if any exist, upon the body politic; to cut off unnecessary expenses; to withhold needless appropriations, or such as will bear delay or can be postponed, and to reduce needed ones to the minimum; to abolish useless offices, boards, and commissions—to the end that unnecessary and excessive taxation may be avoided, and that the public expenditures may be reduced to the lowest possible limit consistent with a wise and economical administration of the state's government. To qualify yourselves intelligently to perform these duties, it will be essential for you to acquire a thorough knowledge of the true condition of the state and its institutions. This knowledge will be brought to your attention through detailed reports of the various departments of the state and the institutions under their charge,—through committees appointed by

your body to investigate and report on their condition and needs,—and through such information of the affairs of the state as the executive may feel it his duty to communicate for your consideration and action.

Gentlemen, you have imposed upon you grave and responsible duties—duties that you cannot neglect or evade without incurring the just condemnation of the people, and inflicting an irreparable injury upon your state. They are duties that demand, for their faithful and intelligent discharge, the uninterrupted use of every available hour of the forty days allotted for your legislative labors; duties, I repeat, that, if well performed, will afford no time for factional fights, or senseless struggles for mere party advantage, or trades and combinations to fix legislative appointments to office. You are assembled under circumstances fraught with less discouragements than those which confronted your legislative predecessors. The extraordinary financial and commercial depression which afflicted our country and blighted its prosperity is slowly passing away. The clouds which lower on our country's horizon are lifting; already we can see a rift in the skies, through which is gleaming the light of the better and brighter days coming; already we can feel the pulsations of reviving business, and hear the hum of industrial activity echoing throughout our borders. Such is the recuperative quality of our people that, from the depth of their financial disasters, they are emerging hopeful and courageous. The future that awaits our state is full of promise. The natural conditions that environ it, backed by the energy, intelligence, and skill of its people, and aided by wise legislation for the development of its abounding and varied resources, will make our state a center of financial and industrial activities. Nothing short of a policy that shall handicap its government with debt, excessive taxation, lavish expenditures, and bad laws, retarding its growth and development, and benumbing the energies of its people, drying up the sources of their material wealth, can make Oregon a laggard in the procession of progressive and prosperous states. While, it is true, there are some laws of trade and finance which control

business, and which no statute can affect or abolish, it is equally true that legislative enactments often perform an important part in stimulating business and industrial enterprise, in opening the channels of trade and commerce, in protecting life and property, and in preserving many valuable natural resources from waste and destruction. To the extent that legislation may assist in the accomplishment of these objects, without disturbing or restricting trade, it ought to be enacted. Much has been done by past legislatures to aid in the development of the resources of our state, and to preserve others from extinction—much to serve the public interests, by the adoption of measures of retrenchment and reform, which have kept her free from public debt and in the front rank of an advancing civilization; but much still remains to be done to supply her wants and more fully improve her resources, and meet the growing demand for general enlightenment, for higher standards of public duty, for better political methods, and for more economical government. Upon you, gentlemen, rests the responsibility of inaugurating such measures as will effect these reforms. You owe the people conscientious performance of duty according to your best ability. I pray that you may not disappoint these just expectations.

It now becomes my duty to give you such information concerning the condition of the state, and to recommend such measures as may be deemed to be expedient.

FINANCES.

Oregon has no debt, but there is a surplus in the treasury of \$368,034.42. The following indicates the funds to which the credits belong:—

The receipts into the state treasury during the biennial term ending	
December 31, 1896, including the balance on hand as per last report, were.	\$ 2,358,568 85
The disbursements out of the several funds were	1,985,529 43
Leaving a balance in the treasury of	\$ 368,034 42

To the credit of the following funds:—

General fund	\$ 121,986 98
Common school fund, principal	150,396 28
Common school fund, interest	48,696 75
Agricultural college fund, principal	3,704 99
Agricultural college fund, interest	3,624 68
University fund, principal	1,951 87
University fund, interest	1,463 48
Five per cent. land sale fund	69 32
Swamp land fund	1,545 10
Tide land fund	15,680 58
Salmon industry fund	1,246 08
University tax fund	15,919 34
Military tax fund	1,747 08
Total	\$ 368,034 42

ASSESSMENT AND TAXATION.

There is probably no matter of public concern which is the cause of greater complaint, or which is beset with greater difficulty in its practical operation, than the law regulating the levy and collection of taxes. The complaint is caused by the inequality of taxation. To be just, the law must distribute the burdens of taxation equally, and, in this way, insure uniformity of contribution. Equality of taxation is the essence of the right to take the citizen's property for the support of government. Without it, tax laws are partial and inequitable, producing rank injustice. To insure uniformity and equality, it is indispensable that the law regulating assessments and taxation should be based on some rule of apportionment that operates impartially, and rests on fixed principles of justice. Our law is based on the theory that all property, whether real or personal, should be assessed at its actual cash value, without regard to the income derived from it, or the uses to which such property is appropriated. It has always seemed to me that some reference should be had to the revenue derived from property, in estimating its value. Still, there can be no doubt, if our law was strictly enforced, conformably to its true intent, equality of taxation would result. For, it is plain, where all property in the state is assessed at its actual cash value, there will be equality of taxation. But the same consequence would follow, if all the property of the state were assessed at less than its cash value, provided that the reduced rate of assessment were made equally to apply upon all

property. To illustrate: if all the property in the state were assessed at half its cash value—or fifty per cent. of its real value—there would be equality of taxation. The assessment being equally distributed upon all property, there would be equality in the payment of taxes. Inequality of taxation, then, is due, not to the fact that property is assessed too low, but to the fact that it is assessed unequally. Where one class of property is taxed, and another is allowed to escape taxation to any great extent, or where one piece of property is taxed at its cash value and another at half its real value, there necessarily results inequality of taxation. In this way, it is thought, that thousands of dollars' worth of property escapes taxation altogether, and much other is taxed at less than its real value, as compared with property of like character. Where such is the case, the burdens of government are not shared equally, and a flagrant injustice is done some taxpayers. This condition of things is the result of incompetency or dishonesty on the part of assessors, and is the cause of the general complaint about our tax laws. Every assessor should aim to assess all property at its real value, as the law directs, to the end that it shall bear its just proportion of the public burdens. If this were done, though the result might not be absolute equality, owing to the infirmity of human judgment, it would approximate to that end. It thus appears that most of the inequality that exists, and about which there is so much dissatisfaction, could be remedied by selecting assessors qualified by business experience, good sense, and impartiality of judgment, to discharge the important duty of taxing property for the support of government. There is not so much difficulty in framing a law that, in theory, shall distribute the burdens of taxation, as in securing its proper administration. Nor do I think our law, if fairly executed, according to its intent, fails to provide for an impartial assessment of property. The difficulty is not so much with the law itself, as with its administration. If the officers to whom is confided the duty of enforcing our law, should strictly comply with its provisions, there would be little cause of complaint relative to assessment and taxation. There might be some amend-

ments to our law that would operate beneficially, but its general provisions are based on principles, which, if fairly complied with, would proximate to equality of taxation and remove much dissatisfaction. At any rate, be slow in tinkering with tax laws, and, above all, be careful to avoid thrashing over old straw, for the result of your labors will be more apt to increase, than remove, the evil sought to be remedied. The framing of a tax law to supplant an old one, expected to remedy all defects and give universal satisfaction, is a delusion; but, somehow, it is a public service always attractive to youthful and inexperienced statesmanship.

PENITENTIARY.

The penitentiary is a badly located institution. With so many excellent sites near it, it is amazing that its present location should have been selected. It is said, in explanation, that the present site was chosen on account of the necessity of securing a water power; but there are several other places in the neighborhood much more desirable, as locations, where there are water powers, or to which water could be brought with convict labor at little expense. All institutions of this character ought to be located on elevated ground, so that sufficient fall may be secured to afford good sewerage, and to enable the inmates, who are confined a large part of the time in their cells and within the prison walls, to enjoy the benefits of wholesome air and plenty of light. Where an institution is located, like our penitentiary, adjoining a creek, on low, wet ground, which extends many acres around it, there cannot be cleanliness, or fair drainage, or wholesome air, without constant care and attention and considerable expense. The institution will always be confronted with obstacles to its sanitation and sewerage that would be easily removed from locations more wisely selected. To aid the sanitary conditions and the sewerage of the buildings, it is indispensable that the adjoining lands, when low and wet, should be drained in order to ward off miasmatic conditions during certain seasons, and to promote general healthfulness.

In view of the location of the penitentiary, and the conditions surrounding it, it would be supposed that, as a matter of ordinary care, such improvements would be made; that the building would be kept in good condition, and that its outbuildings and appurtenances would not be allowed to get out of repair, or in a state of delapidation and decay. I regret to say, that, when the prison and its belongings was received by the present superintendent, this condition of things did not exist, and, while it is true that many things had been done in this direction, they had not been prosecuted to the extent demanded by the plain necessities of the situation. The condition of the prison was such that the superintendent was compelled to make many repairs, though without funds for this purpose—the necessity of which had existed some time, and could not longer be delayed. Notwithstanding the difficulties which confronted him, the superintendent, by practicing rigid economy and intelligently utilizing the prison labor, was able to make pressing repairs and needed improvements, such as mending the floors, putting in new window sills, planks in porches and guard walks, where they were rotten and broken; painting portions of the building and fences, where needed for their preservation, and especially a large structure built of corrugated iron, that was rapidly going to decay from exposure to weather, and the iron fences in front of the prison. Besides which, he built a new flume for the water race, cleaned up and improved the prison yard and the channel of the stream and its banks therein, improved and renovated a portion of the sewerage escape, which, when opened, disclosed that it had been illy constructed of unfit material, that made it a hot-bed of filth and a breeder of disease; reclaimed several acres of wet lands, and tiled and drained others, to prevent malarial conditions, and render such lands profitable for agricultural uses. It is believed that the prison and its belongings are in a fair condition, considering the limited means for its repairs, though there are other improvements needed, especially with reference to its sewerage. I ask special attention to the report of the superintendent, and believe that his recommendations should re-

ceive favorable consideration. I reiterate the recommendation, that the penitentiary, through its own agency, be intrusted with the transportation of convicts. I especially request that you examine the bills for transportation, under the present system, filed in the office of the secretary of state, and ascertain whether this recommendation deserves again to be disregarded.

CONVICT LABOR.

No more perplexing problem presses for solution than the working of convicts. The penitentiary has always been a serious charge on the state, because the maintenance of convicts is necessarily expensive, unless they are profitably employed. Thus far, the result of working convicts in any enterprise, either by the state or by leasing them to private parties, has not proven entirely satisfactory or very remunerative. It is thought, though, that the leasing of convicts, as is now authorized, for the carrying on of some industrial enterprise within the prison, would largely help to pay the expenses of the institution. It is better for the present, at least, than that the state should undertake to conduct an industrial enterprise with its convicts. It was a serious and expensive mistake, when the state bought the foundry plant and undertook its operation. Its profitable management was, no doubt, greatly handicapped by the financial depression, but, generally speaking, such business enterprises are more profitably conducted by private parties. Shortly after entering upon my official term, it was found that the foundry was working only a few convicts, who were piling up goods on those already manufactured, not any of which could be sold, owing to the lack of demand occasioned by hard times. To have continued the operation of the foundry under these circumstances would necessarily have resulted in putting the state at heavy expense for the purchase of raw material and the pay of superintendents and foremen, and, at the same time, left on its hands an overstock of manufactured goods for which there was no sale. Of course, the board could have made an excellent showing on paper, by setting up these unsold manufactured pro-

ducts at a good price rate, and counting them as cash assets. The last legislature authorized the governor to lease the convicts, and to carry this law into operation would necessarily have deprived the board operating the foundry of its convict labor. This statute was considered to repeal, by implication, the statute authorizing the board to operate the foundry with convict labor. A short while after the enactment of this statute, Mr. J. Loewenberg proposed to lease the foundry plant and a specified number of convicts, but he was unwilling to take the stock of manufactured products on hand at the price valued, or to pay the price for convict labor specified in the statute. After several consultations, it was agreed that a lease should be made for a certain number of convicts, and a request was made by the board of managers that "the governor detail twenty-five convicts for the care, custody, and protection of the foundry plant, subject to ratification by the legislature,"—to which request the governor acceded. The board then leased Mr. Loewenberg the plant and sold him the manufactured stock at reduced prices, on time, secured by chattel mortgage and endorsed notes; but, owing to the continuance of the general depression, Mr. Loewenberg has been unable to sell his manufactured products or to pay his notes and the rent of the plant.

If the legislature shall deem it proper to ratify this agreement, upon Mr. Loewenberg's promptly paying his indebtedness due the state, or at some other time upon reasonable extension, I suggest that the superintendent of the penitentiary be substituted for the governor in the contract, under an act amending the law for that purpose. This will not change the terms of the contract, but will make it more satisfactory for the conduct of the business to all concerned.

This is an outline of the transaction, and for further particulars, I invite your attention to the report of the board of managers of the foundry.

REFORM SCHOOL.

It is thought by those who have given much consideration to reclaiming youthful criminals, that reformatories are useful and beneficial institutions. It is much better for the state to make an effort to reform its wayward youths than to send them to the state penitentiary to associate with hardened criminals. The effect of such association during their term of confinement usually is to develop their evil tendencies, and to cause them to become confirmed criminals. When criminals of this class are placed in reformatories, they are separated from the society and influence of hardened criminals, and, with proper care and treatment, they may be impelled to turn from their evil habits and lead useful and exemplary lives. The effect of punishment on criminals of the depraved class is seldom to cause them to reform or to lead better lives; but for the youthful criminal, whose evil habits have not become confirmed, it is better for society to make an effort to reform him, and, in recognition of the wisdom of this policy, our state has established a reform school. The practical operation of this school indicates a considerable degree of success. Many improvements have been made during the biennial term, which have required considerable outlay of money, and have increased the difficulties of the management of the institution; but, as the farm shall be improved and made a productive adjunct, and as the boys at the school are given industrial training and their work is utilized more and more, the cost of the school will fall, notwithstanding its membership is rising. For all purposes, the superintendent now asks \$51,000 for the current biennial term, which sum is a marked decrease to the appropriations for 1893 and 1895; yet, I am constrained to think, the farm may be so utilized, as well as the work of the boys, that a less sum ought to suffice. The report of the superintendent may be consulted with profit for details which a want of space will not permit me to call to your attention.

GIRLS' REFORMATORY.

I desire to recommend that the wooden building now occupied by the farmer at the reform school be converted into a girls' reformatory. There are not many young criminals of this class, and the location of the building is favorable for their care and safety. Two or three cells might be fixed in it for the reception of female convicts, of whom there are seldom more than one or two, and oftener none. There is no place for this class at the penitentiary, and the necessity of the case requires them to be kept strictly confined to their cells, which is an unnecessary hardship. The additional cost will be slight, as the present management will not be disturbed.

ASYLUM.

It is not simply a dictate of duty, but of humanity, that the tenderest care and best provision should be made for the comfort and recovery of that unfortunate class of our people, who are wholly or in part deprived of their reason. What class can more justly appeal to our sympathies, or have better right to ask that our best thought and skill be devoted to the amelioration of their condition? No reasonable expense should be spared to furnish them with the best medical attendance, and to make their surroundings agreeable. There is no better test of the progress of civilization in a state, than the adequacy of its provisions for the care, support, and protection of insane. The progress made in the study and treatment of nervous diseases has been rapid and successful, being based on the idea that insanity is a disease, and should be treated, as other diseases, with a view to recovery, except where conditions exist that render such a result impossible. In conformity with this idea it is suggested that the words "Oregon State Insane Asylum," descriptive of our institution, should be changed to "Oregon State Hospital." Our state has not been backward, nor spared expense to provide suitable places for the comfortable care and treatment of its unfortunates. A good building with the best improvements, good surroundings, excel-

lent care, and the best medical attendance, is provided for them. The asylum is, as it should be, a public generosity rightly directed, but it should not be abused. There is no doubt, owing to the laxity of our laws, that many persons are sent to the asylum and remain there, who are not proper subjects for its charity, and that, if the defects in our law in this particular were remedied, and fuller powers conferred on the superintendent, it would greatly diminish the number accounted insane, and reduce the expense of the institution. The practice of some county courts in sending persons who are not insane, but simply affected with the infirmities of old age, to the asylum, often through the pressure of relatives, is wrong in principle, and often tends to encourage filial ingratitude. The hospital (as we shall prefer to call it) is intended for the care and treatment of the diseased in mind, and not those merely afflicted with senility. There is also another class, known as the "morphine fiends," who have reached that point of personal degradation where the habit is fixed and a permanent change is improbable, that ought to be excluded. Nor is a hospital the proper place for the idiot. Cheap buildings, with large dormitories and few attendants, under the superintendent, as an adjunct, would answer every purpose.

Gentlemen of the assembly, I here and now reiterate my recommendation of two years ago, that the asylum, through its own agency, should be intrusted with the responsible duty of conveying these unfortunates to the institution. To serve this purpose, there should be two attendants, a man and a woman, appointed to go after patients and bring them to the hospital, who should receive a fair salary as compensation for their services, and actual expenses for themselves and patients. These agents should be persons of intelligence, of kindly disposition, steady habits and decision of character. They would soon become experts in handling patients, and quickly learn how to attend their wants and spare them unnecessary pain or mental distress. The difference in the cost, as compared with the present practice, is much greater than generally known. It is the same policy

which is recommended for the state prison. Under the system proposed, it would not cost a dollar for the transportation of intended inmates from Salem to either place, while under the existing system it costs \$8.50. Under the first, they would be taken in groups, to save expense, where several awaited transportation, while, under the latter, they are taken separately to fatten the job. In defense of the practice it is said that the law allows it; but the fact that such practices may exist under a law is the best reason for its repeal. There is another reason for its repeal and the adoption of the system recommended that is unanswerable. No man should be permitted wholly to have charge of conveying an insane female patient to the hospital. The law which authorizes such commitments of female patients is a relic of barbarism. What act can be more barbaric, what spectacle more revolting, than an officer dragging from her home an unfortunate woman, frantic and helpless, through crowded thoroughfares, before gaping crowds, and over the railroads, to her destination at the asylum? Several hours at least, and sometimes days, must be occupied with her transportation, and during this interval of time, think of the indignities to which she is unavoidably exposed—think of what in many instances must be her pitiable, indescribable condition when she arrives. Common decency demands that this insult to womanhood shall cease.

The report of the medical superintendent of the asylum is a carefully prepared and able document, and it will furnish you in detail all information appertaining to the management of the institution. His recommendation to build a wing to accommodate the increasing number of inmates deserves your immediate attention. I commend the report to your careful consideration.

ORPHAN'S HOME.

I also recommend the acceptance of the offer of the Oregon Children's Aid Society to donate to the state the Orphan's Home, at Salem, which consists of fifteen acres of excellent land and good buildings, containing at this time over twenty inmates.

In the near future the state will be compelled to make provision for this class of friendless and helpless humanity, whose care and right bringing up concerns the public welfare as well as their own, and the present offer of the buildings and grounds, without cost, as a home for them, is a liberal gratuity that ought to be accepted with alacrity. In the event you should adopt this recommendation, the law should provide for the appointment of a board, to be composed of women, and not to exceed five in number, to whom would be committed the management of the affairs of the home, and to receive only actual expenses for their services.

STATE LAND DEPARTMENT.

The successful management of state lands depends upon laws enacted to promote the object for which they were granted, and their strict administration. Oregon has been the beneficiary of large land grants for various objects, and much legislation has been devised and enacted in regard to them, but our state has not realized the benefits and advantages which it should have received from them. All that can now be done is to take care of and dispose of what remains, so as best to promote the objects and distribute the benefits of these grants. It is greatly to be regretted that the law did not make better provision for the segregation and mapping of state lands, for indexing all sales of them and disclosing their location, and further providing that the officers in charge of the land office, when requested by a purchaser, or other interested person, should give the information asked, as appears from the record. It would have saved purchasers much unnecessary expense, and greatly aided in conferring the benefits designed to be given by the grants. But, without legal provision, the land department office ought to have adopted rules and regulations that would have served this purpose. The records of the office ought to have been kept in such a way that a person desirous of purchasing a certain piece of state land could easily ascertain its location, whether it was taken or was for sale, without incurring the unnecessary expense

of hiring a third party. By neglecting to do so, it was only possible for its officers, or those who had acquired special knowledge of the location of state lands, to consult the record as kept and ascertain the desired facts. Such a mode of doing public business offers too much temptation for wrongdoing and scandalous practices to justify its existence or continuance. Some of our statutes, however, seem to have been expressly designed to encourage despoliation of state land purchasers. Our statute, repealed in 1895, was framed in such a way that a party desiring to purchase a piece of indemnity land, was compelled to take the risk of title to the land which he selected, but, as he could obtain no assistance from the records of the land office as kept, he was forced by the necessity of the case to seek a land attorney who could find a base before he could make his selection and consummate the purchase. This usually involved the payment of fees, often equal to the price of the land desired, and was a service that, under proper practice, was wholly unnecessary. What was the result? It now appears that many of the bases selected by these land agents were not subject to be taken, and, the title failing, the purchaser falls back upon the state and asks to be indemnified for his purchase money. The case is a hard one. He has paid for his land and the state has his money, but he has received no title to such land, and he is out the price of the land and the other sum—whatever that may be—paid to the land attorney. Even if the person whom he hired to select the land was liable, which is perhaps doubtful, he would probably prove a poor resource for his losses. The case is one of a bad statute working in combination with a bad office practice. The state, under such circumstances, imposed upon the purchaser an impossible task, if it desired to sell its land, which is reasonable to presume. When it imposed the risk of title upon the purchaser of the land he selected, the state ought to have required that the records of its land office should be kept in such a way that he could consult them, and obtain all necessary data about the land, and then, if he made mistakes, the fault being

with him and not in the office, he should take the consequences. But when the fault lies not in him but in the practice of the office, forcing him to seek outside agencies, the responsibility of risk of title is inconsistent with the duty imposed upon the purchaser, and he should not be held answerable, and his purchase money should be returned to him without interest. The aim of the present land board has been to make the land office serviceable and inexpensive to those having business with it, and, under the direction and management of its efficient clerk and his subordinates, the records have been classified and arranged, indexes and notations on the maps have been made, and rules and regulations have been adopted, designed to simplify and expedite the public business, and make inexpensive the doing of business in the land department.

LOANS OF THE SCHOOL FUND.

In connection with the state lands, it needs to be mentioned that loans of the school funds, in many instances, owing to the hard times and overvaluation of the land, have proven bad investments and entailed losses upon the school fund. In many of these loans the borrowers have defaulted in payment of interest, and the state has been compelled to take the security and to pay the cost of foreclosure proceedings. These judgments represent, in addition to the principal loaned and the costs of suit, a large accumulation of interest, which lessens to that amount the school fund interest to be annually distributed for the education of children in our common schools. Another source of loss and annoyance is the sale of lands for taxes two or three years overdue, without notice to the board, thus entailing further expense in redeeming them. This loss ought to be obviated by such legislation as would make it unlawful to sell for taxes any securities held by the state, without proper notice to the land board in all instances, where the taxes are in default, and in such cases making it the duty of the board, upon such notice, to cause the taxes to be paid and charge the same to the interest account, and at once proceed to procure a decree with the tax included. In making

collections, it has been the policy of the board to deal as leniently as circumstances would permit with debtors to the school fund, on account of the financial and industrial depression prevailing over the country, which has seriously affected the values of property and contracted the means of earning money. To loan the school fund and avoid losses is difficult. The persons composing the board, though they be capable in other walks of life, may not possess that business sense and judgment that is especially required in making loans. Their sources of information, respecting the value and sufficiency of the security offered for the loans, are through agents in the different counties, upon whose judgment they must depend, and who are liable at times to recommend loans that are not desirable, through entreaty of friends and a yielding disposition. Owing to the business depression, and the provisions of the act of 1895, which withholds indemnity school lands from sale for two years, the sale of lands has greatly fallen off. Some legislation is needed to provide for the sale of these lands, and to facilitate the selection of all lands to which the state is entitled as indemnity school lands, before these valuable lands are disposed of by the general government.

The special agent appointed to select lands under the act of 1895, has been busily engaged in this work, but the act omitting to provide for his salary and expenses should be amended in this particular, and there should be an appropriation to pay his salary and expenses for the past two years. It is highly important to the interests of the state that a proper selection of these lands shall be steadily pushed, as, when confirmed to the state, the funds derived from their sale will add a very considerable sum to the irreducible school fund. Some legislation is also needed for the disposition of lands known as sand islands, in the Columbia river, which have considerable value and are much sought after for fishing purposes. For matters in regard to state lands and the school fund, I recommend to your careful consideration the reports of the clerk of the land department and the special land agent, which offer some valuable suggestions and are pregnant with matters of public interest.

FISHERIES.

No other country has salmon fisheries so extensive and profitable as the states bordering the Columbia river. Oregon's fishing interest is justly regarded as one of our leading industries. Salmon fish, canned or cured, constitute one of our principal exports and an important part of our commerce. The industry affords employment to many persons, and is the source of great revenue. Its growth and preservation is a matter of the highest importance to the welfare of our state, and no further delay, from any cause, should be permitted to obstruct the enactment of appropriate legislation to protect salmon fish from wastefulness and threatened annihilation. The present law is not satisfactory. It ought to be repealed and a law enacted that shall be sufficiently restrictive in its provisions to enforce the close seasons, and so protective in its regulations and restraints as to guard natural and artificial propagation of salmon from waste and destruction. Such a law ought also to contain a provision for joint jurisdiction over the Columbia river, if the consent and coöperation of our neighboring state can be secured. The failure to secure appropriate legislation to this end in 1895, emphasizes the duty of the present legislature to make an active effort to reach this result.

The report of the fish commissioner is an able and interesting document, giving in full detail all matters of importance and interest connected with the fishing industries, and making many valuable suggestions for your consideration—including remedial legislation—that are of the utmost moment to the preservation of this source of our revenue. It gives me great pleasure to commend the whole of his report to your attentive consideration, and to bear witness to the fidelity and ability with which he has performed the onerous and difficult duties of his office.

EASTERN OYSTERS.

There have been several barrels of eastern oysters shipped to our state by the general government upon request of the fish commissioner, and transplanted in Yaquina bay for the purpose

of propagation, with a view of ascertaining whether the oyster industry could not be made profitable in this state. There will probably be more of such oysters sent when the season is favorable for planting in other suitable places in the bays and rivers of our coast. It is important that proper legislation for their protection should be enacted at once. I recommend, also, that there be an appropriation of \$1,000 for uses connected with their planting and care.

MILITIA.

The fact is manifest that our national guard is a well-disciplined and an efficient body of troops, and that, if an emergency should arise requiring their service, the guard would respond with alacrity and behave with courage and firmness. The general government recognizes the necessity of the national guard by its coöperation in maintaining the system in each of the states. It supplanted the old militia, and is considered to be a more economical system, and to furnish in every way a more efficient body for the suppression of riots and mobs, or other organized opposition to the law, during periods of turbulence and public disorder. The national guard is intended as a reserve force, to be used by the state always with caution, but nevertheless with firmness, for the protection of life and property, when the civil authorities are powerless in the presence of disorderly uprisings or mob violence. There has been but one occasion when its presence was thought necessary and demanded by the civil authorities. This was at Astoria during the past summer. To the call the guard promptly responded, and though no collision occurred, by reason of wiser counsels prevailing, their conduct was marked by excellent discipline and soldierly behavior. Their presence at Astoria involved a fundamental principle of government. It is the duty of the state to protect personal liberty as well as property. A man may work or not, as he may choose, not under penal restraint. He has a right to make his own contract and serve whom is his pleasure, consistent with public policy: and any man, or organi-

zation of men, who, through menace, threat, or force, interferes or prevents him from the enjoyment of these privileges, is a violator of the law and an enemy of his country. Such interference is a deadly blow at personal liberty, guaranteed by our constitution, and its toleration is inimical to free government. It will not be possible for our state, so greatly in need of capital, to develop its varied and abundant resources and to offer an inviting field for the investment of capital, unless it steadily maintains its constitutional guaranty to protect alike all property and secure to every man the right to pursue his daily work without molestation. But, in saying this, I must add, that I favor conciliatory methods of interference through state officials to bring about an adjustment of differences between capital and labor, which shall be fair and honorable to all parties.

It is to the credit of the national guard that, to save any additional expense to the state, the suggestion that its expenses, while doing duty at Astoria, be taken out of the fund for their maintenance, was acceded to, requiring the troops to forego an encampment and other military matters quite essential to their comfort, equipment, and discipline. The guard is composed of excellent young men, who come from the people, and their enlistment is prompted by a patriotic spirit to serve and defend their state and its institutions. Their presence is a pledge for good order and an assurance that the executive is able faithfully to execute the laws. Their officers are capable and discreet men, to whom much credit is due for the discipline and high state of efficiency of the guard. Time will not permit me to make personal reference, and for details I respectfully invite your attention to the report of the adjutant-general, which gives a full account of military matters.

SOLDIERS' HOME.

The merits of this institution, and its benefits to the old soldiers, are too well known to require comment. The management of its affairs through a board of trustees has been careful and economical. But, in my judgment, there is no need of a board

to overlook its condition and affairs. The board ought to be abolished, and some of its members concur in this opinion. It would be much better that the executive should appoint the commandant, upon whom would devolve the duty and responsibility of the management of the affairs of the institution, subject to supervision by the governor, who would make regular inspections through some member of his staff, thoroughly qualified for the duty. This system would put the home in contact with the department to which it is related, without being subject to military law, and secure a thorough inspection of its affairs at regular intervals, or on special occasions, as might be necessary, by a competent officer. This plan would doubtless be more satisfactory to all concerned, would enforce strict accountability of its officers, and secure an economical and efficient administration of its affairs, consistent with the needs and comforts of its inmates.

HORTICULTURE.

One of the largest interests of our state, and the source of much of its wealth, is the cultivation of the soil. Anything that increases its productions aids in the development of the state. As connected with farming, horticulture is a profitable adjunct, and the interest now being manifested in the culture of fruits promises to develop a leading industry, diversifying farming, and adding greatly to our wealth. Such being the case, horticulture should be encouraged, under such regulations as will be productive of the best results. For a comprehensive treatment of this subject, I invite your attention to the able report of the board of horticulture, and recommend that sufficient funds be appropriated for the continuance of this valuable work, as essential to the best interests of the state.

FORESTRY.

The frequent destruction of our forests by fires, caused by carelessness or design, should be stopped. Their preservation is a matter of great importance, and, if something is not done to prevent it, great injury will result to our timber interests. This

is a subject that demands your attention, and some means must be devised for better enforcement of our laws.

IRRIGATION.

This is a subject of considerable interest to the people of the eastern part of our state. We have many acres of land, known as arid lands, that could be made wonderfully productive and profitable under the fertilizing influence of irrigation. The problem of water supply for these waste places is becoming every day more pressing, but its solution is confronted with many difficulties. Whatever law should be enacted, great care should be taken to protect the interests of the people and prevent them from being seized under the guise of public good by private corporations for speculative purposes.

ROADS.

There is at this time an active interest being taken in the subject of good roads. The movement should be encouraged. Good roads are of such public utility and importance, and are of such general interest, that measures, designed to secure them, will be submitted for your consideration and action. Our present law is lamentably behind the age in the matter of road improvements; it ought to be gotten rid of and some other adopted looking to a systematic effort to improve our public highways. A new system should be provided. All road taxes should be paid in money, and the present system of working out road taxes at extravagant wages, under supervisors often selected without reference to their qualifications, should cease. I earnestly beg your attention to this subject, in the hope that you will bring about some legislation that will result in securing the improvement of our roads.

EDUCATION.

The general diffusion of knowledge is the best guaranty of the stability of republican institutions. Their safety and prosperity depends on the spread of knowledge among the masses. The

fact is now recognized that intelligence in communities is essential to social progress and political reform, is conducive to sobriety and industry, and serves to establish justice and promote the public interests. As a means of disseminating intelligence, our common schools are most active and potent factors. There are no other instrumentalities comparable with them for the accomplishment of this object. They seek to increase the general average of human intelligence by the education of the rising generation, and in this way to elevate the citizen and strengthen the state. The state cannot neglect its educational interests, without loss of public intelligence and detriment to its well being. It is gratifying to know, that the subject of education always attracts much attention from the legislature, on account of its importance in the development of an intelligent citizenship and a progressive civilization. How to devise a system of education that shall extend its opportunities and benefits to all the children of the state, without entailing too heavy a load on the taxpayer, is a problem not often easy of solution. A law, simple in its provisions and inexpensive in its arrangements, is what our state needs for the attainment of this object. Our present school law has become a clumsy and costly contrivance from too frequent patching by way of amendments, some of which seem to have no reference to its symmetry or general design, and always providing, as a condition precedent, for the payment of fees that serve no educational purpose, and are an unjust tax on the teacher. The whole law ought to be repealed and a new law enacted, embracing its meritorious provisions, leaving out what is defective and useless, and including such other provisions as will make an efficient and an inexpensive common school system, relatively considered.

It is impossible to enter upon details, and probably unnecessary at this time, as there are assurances that some of our educators will present these matters to the consideration of the legislature. There is, however, serious need for reform in the method of issuing state certificates, diplomas, and life diplomas. If the number of these documents issued by the present board even approx-

imately represents the number issued by our predecessors, they must be scattered over the state "thick as leaves in Vallombrosa," and worth but little more as evidence of capability for teaching. The original design of the law was simple and excellent. It contemplated that the board of education should appoint a board of examiners, composed of men trained in practical teaching and of scholarly attainments, who were to meet at the capital twice a year, for the purpose of examining applicants for teachers' certificates and diplomas, and recommend to the board such teachers as became entitled to them. By this method the state secures the service of trained men to select teachers, and the diplomas issued on their recommendation by the board would be of value to their possessors, as affording some guaranty of their fitness and qualification. Such examinations would tend to weed out incompetency and secure a high grade of teachers for our public schools, and thus prove of incalculable benefit to the children of our state. To pay the expenses of these examiners, the law provides fees of \$10, \$6, and \$4, respectively, for life diplomas, state diplomas, and state certificates, and, if any money remain, after the payment of such expenses, it is to be held, or appropriated, by the board for educational purposes. Though examiners have been appointed, they were never convened, as a body, but have examined applicants at their respective residences, under instructions from the superintendent of public instruction. Nor do they furnish the board with lists of questions for distribution to the county superintendents. The authority for this mode of administering the law is without validity, and receives its chief warrant from the custom or usage of the superintendent's office. The fees paid by the teachers are appropriated by the superintendent, after paying such sums to the examiners as may be agreed upon between them. These fees in the aggregate amount to a large sum yearly — over \$3,000 — and their proper disposition has been the cause of controversy between the superintendent and the other members of the board. In consequence of this, in the fall of 1895, a rule was made on the superintendent, requiring him to report to the board the

number of diplomas and certificates issued, the amount of fees collected for them, what disposition, if any, had been made of such fees, and to turn over to the board any and all fees that he had on hand, in order that the board might appropriate them to the objects contemplated by the school law.

To this order the superintendent replied that he had kept no record of the number of diplomas and certificates issued, nor the moneys that he had collected for them, but that the sums retained by him did not exceed in the aggregate \$1,000; that the fees belonged to him, and that, in taking them, he was sustained by the practice of former superintendents. He also disclaimed any intention of violating the law, or of wrongdoing,—of which we freely acquit him,—basing his right to appropriate them on the custom of the superintendent's office, which he thought justified his right to them. There can be no doubt, if the law, expressly or impliedly, intends that the superintendent shall have these fees, they belong to him; but, unless it does so, no practice or precedent of the superintendent's office can give validity to his converting them to his own use. To my mind there is not one iota of authority to use these fees for any other purpose than indicated by the law, under the direction of the board, and every dollar diverted into the private pocket of the superintendent is a misappropriation of educational funds, notwithstanding the custom or practice of his predecessors. This is not a case where fees are authorized by law, which the officer is entitled to collect and appropriate until the law is repealed or declared unconstitutional. I regret the necessity which compels me to make reference to these matters, and I only do so because, under my interpretation of the law, there arises a responsibility for the performance of a public duty which I cannot ignore or disregard. At any rate, these fees are too large, if the present practice of their distribution and appropriation is to be continued, and ought to be reduced one half, namely, to five, three, and two dollars, respectively, for life and state diplomas and certificates, in justice to the teachers who pay them out of their hard-earned money. On the other hand, if the law is to be carried out, and

the state is to have a board of trained examiners, whose expenses are to be paid out of the fees derived from the diplomas and certificates issued upon the recommendation of such examiners, the fees are not too large and no alteration should be made in them. It is to be hoped this matter, and all others connected with the school law, will receive that attention and consideration which its importance to the public interest demands. It gives me pleasure to say that the superintendent has entered with enthusiasm upon the performance of his duties, and that he has successfully conducted institutes in all sections of the state, by means of which teachers have been stimulated to greater activity. For details of school matters, I refer you to the superintendent's report, which deals comprehensively with them.

NORMAL SCHOOLS.

The object of the normal schools is to furnish teachers for our common schools. The scope of their work includes special instruction in those branches of education which are taught in the public schools, and thorough training in the science of teaching. The effect of their work, when successfully prosecuted, is to increase the usefulness of the teacher and elevate the standard of our public schools. Our normal schools are a useful and indispensable adjunct to our common school system. Without them we cannot expect to have young men and women trained and equipped to supply the demand of our local schools. It is gratifying to know that the value of normal training is recognized by our people, and that the work of the normal schools is progressing satisfactorily, and resulting in great benefit to our common schools. Let them be held strictly to the true object of their work, and aloof from educating in other branches, or for other purposes, than training experts for teaching; then their success is assured and their expense will probably be greatly reduced.

UNIVERSITY.

There are those who think our university should not receive financial support, while there are others who think it is bad

policy and worse economy to withhold from it any needed aid. It is no doubt true that taxation is for the general benefit, and that objects of its fostering care should conserve the public good. But the fact that comparatively few can enjoy the university's advantages is not conclusive that its benefits are not for the public welfare. If the university is an essential part of our educational system in conducing to the progress and development of our state, and to the prosperity and intellectual greatness of the people, it is of general benefit and entitled to receive public support. The university aims to furnish such an education as will enable those—always the few—who possess the requisite abilities, to become useful citizens and leaders of thought in the professions, in statesmanship, in the various branches of learning, in philanthropy and works of charity, in promoting industrial projects and conducting commercial enterprises, and in devising methods for the moral and political advancement of the people. Its existence is due to recognition of the fact that the state needs captains in every department of life, affecting human happiness and welfare, and that, as a means to this end, it should provide an institution of learning whose course of study would lay the foundation to supply them: and perhaps, too, some of those benefactors of our race, whose enlightened influences shall hereafter be traced in the improved condition of our species, and in the increased prestige and power of our state. The state cannot afford to wait or depend on local enterprise, or church organizations, to establish and maintain institutions of learning—splendid and worthy as have been their efforts and success—for the accomplishment of these great objects of public concern. The crown of our educational system is the university. We should strive to lift it to a plane where it may compete with similar institutions of other states, and save our children the necessity and expense of going abroad to acquire a higher education. It is entitled to receive the financial aid and fostering care of the state. Money spent to further its legitimate aims and ends, is not a gratuity but a good investment for the state. These do not include a preparatory department or school, or com-

mercial adjuncts for bookkeeping, but the curriculum should be confined strictly to a university course. The use of money to pay the expenses of such departments is a diversion of the funds of the university, and ought to be discontinued. At the present time there are over three hundred students at the university, and only about one hundred—or a third of them—are pursuing a university course. The other two thirds—or two hundred—are students in the preparatory department. This is all wrong, and in conflict with the idea of a university, and involves expense which, if taken from the funds appropriated to the university, is a misappropriation of such funds, and an unjust burden on the people. These departments, not included within the aim of a university, should be cut off and disestablished, and the university made to fulfill its true mission in education. It will then become an active, compact, and potential factor in advancing the cause of civilization and the betterment of man. It will also have the effect greatly to reduce expenses, and put the institution upon an economical working basis. There will then be ample room and accommodations in the present buildings for all purposes, and the work of the professors can be distributed, and their number reduced by cutting off all supernumeraries. Free scholarship should be abolished, and a reasonable fee should be charged for tuition. The student who wants something for nothing, lacks the stimulus and pride for a university education. It is to be hoped that, under the wise administration of its able president and his accomplished coadjutors, such measures will be inaugurated as will give the right direction to the true aims of the university, and make it a splendid, successful, and famous institution of learning.

AGRICULTURAL COLLEGE.

It is the life and prosperity of our country to keep up and maintain its institutions, dedicated to the work of education in all its departments, to their utmost efficiency, although it may require some expenditure of the public revenue. Our people, to a large extent, are engaged in agricultural and industrial pur-

suits. A sound, practical education along the lines of these callings or vocations is a need of our people, and its benefits to the state cannot be overestimated. To fill this want is the object of our agricultural college in our educational system. Its chief end and aim is to give its students a thorough agricultural and mechanical training, as distinct from college or university courses. It is a different education in practical results from a university education, but is not in conflict with it. In this age when so many industrial projects require mechanical or scientific education for their management, the agricultural college affords excellent opportunities for acquiring such an education. It is gratifying to know that the present management of our agricultural college has been attended with unusual success, and that its results in all departments are highly satisfactory. The increased attendance is evidence of its popularity, and a forecast of its usefulness. While the recommendations of the officers for the various institutions of learning are entitled to much consideration, you must keep constantly in view the finances of the state in granting appropriations to them. The appropriations should be limited to the strictest economy consistent with the usefulness of the institutions.

DEAF-MUTE AND BLIND SCHOOLS.

It has often occurred to me that it would have been far better for the deaf-mutes and blind, and cheaper for the state, to have delayed several years the building of our present institutions for them, and to have sent these unfortunates to some old established school, fully equipped in all its departments, embracing many branches of art and trade, presided over by skilled teachers—always difficult to procure in a new country—and affording many advantages that new institutions cannot provide. Some states find it much cheaper and more satisfactory to pursue this policy than to maintain such institutions. Among the causes leading to the premature building of such institutions, are the creation of new offices and places, and the increase of appropriations that serve to stimulate local business. These are consider-

ations, though, which come too late to be of benefit, but they may serve to show the necessity of intelligent and economical management of the affairs of such institutions. It is not contended that these unfortunate people are not entitled to the deepest sympathy and liberal support, because of their helpless and dependent condition. This is especially true of the blind, who are shut out from all recourse to the beauties of nature, or works of art, which are a source of so much mental elevation and pleasure, and must grope their way through life in darkness and ignorance, except as by training they may be made to advance in learning, and to comprehend the beautiful in nature and in art. Not quite so unfortunate, but equally worthy of your kindest consideration, are the deaf-mutes, some of whom possess great quickness of parts, and a mental capacity that, when trained, makes them useful and self-supporting citizens and leaders in some departments of business. It is the duty of the state to make ample provision for these unfortunates, and to afford them every facility for their improvement and the betterment of their condition, consistent with an economical management. The superintendent of these institutions are strenuously endeavoring to carry out the objects of their schools, for the benefit and improvement of the pupils, and the results thus far are satisfactory.

REGISTRATION LAW.

The need of a registration law in our larger towns is so manifest that there is almost a universal demand for the enactment of such a law. There seems to be an impression that our supreme court, in *White v. Commissioners*, 13 Or. 317, laid down a rule that would render any registry law that might be devised unconstitutional. Though I do not concur in the reasoning of the opinion, (which I think is able, and which, I believe, has been the subject of undue criticism,) it is manifest, from the concurring opinion in the result and the dissenting opinion, that the majority of the court thought that a registry law could be enacted that would be constitutional. My own view is that

where the constitution confers a political right without designating the manner in which such right is to be exercised, it carries by implication sufficient procedure to ascertain in whom the right exists, for its orderly exercise or enjoyment; but that procedure must be subordinate to the right—it must not impair or destroy it. In other words, that the legislature may regulate the exercise of such political right, but, in doing so, it must not embarrass, impair, or destroy it. This is what I understand to be the effect of the decision in *Capen v. Foster*, 12 Pick. 488, to which reference was made in the concurring opinion. The constitution of Massachusetts confers the right of suffrage, but does not designate the mode of its exercise. In construing the constitution so as to warrant the legislature in adopting reasonable regulations for the exercise of the right to vote, Mr. C. J. Shaw, in that case, was careful to put this limitation on the power of the legislature. He said: "Such a construction would afford no warrant for such an exercise of legislative power as, under the pretense or color of regulating, should subvert or injuriously restrain the right itself." This is what I thought our law did—impair, injuriously restrain, etc., the right itself—and hence the law was unconstitutional, and necessarily I concurred in the result, though through a mode of reasoning which was not inconsistent with a registry law. I think a registry law could be enacted that would be constitutional.

SUPREME COURT.

The business of the supreme court has increased so rapidly that the court is now behind more than two years in the hearing of cases. It is imperative that some relief should be afforded the court, so that a prompt hearing and adjudication of causes may be obtained. It is thought that our constitution limits the supreme court to three judges, and, if this is so, there is no means of increasing the number of judges, except by amendment, which would require too much time for its adoption, to afford the desired relief. To remedy this condition of affairs,

the appointment of a commission is proposed, to serve for a term of four years, to assist the court in hearing and deciding cases, in the expectation that within that period its docket will be cleared, and, in the mean time, if the proper steps are taken to secure the adoption of an amendment, so as to increase the number of judges, then there will be no future accumulation of causes. This proposition does not impress me favorably. Such a commission will double the expenses of the court, and its creation should be avoided on the ground of economy, if there is any other way of affording the court immediate relief. My own plan is: *first*, to enact a law that shall limit appeals in civil cases to the supreme court to those involving title to real estate, or matters affecting the public revenue, the construction of the constitution of the state or of the United States, or where question of franchise is raised, or where the amount of the judgment exceeds \$500; *second*, require the court to file written opinions only in cases where the judgment or decree of the lower court is reversed, leaving it optional with the court to write and file opinions in cases affirmed. The records of the supreme court show that about thirty per cent. of the cases appealed are under \$500, varying from less than \$50 to that sum. The fact that the court is over two years behind in its work, serves as an inducement to appeal cases in many instances, to delay justice, or cause vexation and expense. It thus tends to encourage litigation and breed discord in the community. That chronic argument that every citizen should have the right to appeal, no matter how small the sum, is entitled to little consideration. The community should not be taxed several hundred dollars to gratify two obstinate men in bandying some trivial matter through the courts, when its merits can be fully considered and decided in the circuit court as a court of last resort. The effect, then, of limiting appeals to the supreme court as indicated, would be to cut down one third of the appealable cases, which would be a great gain. The second proposition, namely, that of leaving it optional with the court to write opinions in cases affirmed, would rapidly relieve the court of the present conges-

tion of cases, and enable it to keep pace with its work, and afford it more time for the preparation of opinions in cases where important principles are involved. Of the value of this plan and its effectiveness for relief of supreme courts, Mr. Justice Kinne, of the supreme court of Iowa, in an address delivered before the Iowa State Bar Association, said: "This plan is followed in several states with much satisfaction to all parties, and it is impossible to discover any valid argument against it. Take a recent Iowa report, and we find one hundred and fifty-three cases therein, of which one hundred and eleven were affirmed, and forty-two reversed. Of those affirmed, more than three fourths of the opinions were based upon and following previous cases, and the opinions contain nothing of value as precedents. The only excuse for writing opinions in such a multitude of cases is that our statute requires it. If the legislature in its wisdom would so change the law as to permit, in all cases of affirmance, a note of the decision to be entered in the announcement book without more, the vexed question of relieving the supreme court of this state of the great burden of cases which come to it would be solved for many years to come, and that without the creation of an additional office, or the addition of a dollar's expense to the burdens of the taxpayers."

Under this plan, the sum for appealable cases might be reduced to \$250, though the sum named is better, and still relief be furnished the court, without the creation of an additional office or the addition of a dollar's expense to the taxpayer. The reason I recommend that the legislature authorize the court to dispense with the writing of opinions in affirmed cases, is to give the practice the weight of legislative sanction, and spare the court the dissent that possibly might be made by some members of the bar, accustomed to the present practice, if the court should adopt the practice of its own volition. I do not understand that the section of our constitution, requiring that "the judges shall file with the secretary of state concise written statements of the decisions made," prohibits the adoption of this practice. The "decision" of a court is its judgment; its "opinion," the reasons given

therefor. The difference is marked. The decision is recorded upon its rendition, and can be changed only through an application to the court. The opinion is the property of the judges, subject to modification until transcribed in the records: *Houston v. Williams*, 13 Cal. Our judges may, if they so chose, adopt the practice recommended, without violation of the constitution, and without legislative authorization. It is better, though, that the act which shall limit appeals to such sum as you may specify, should direct the adoption of this practice, for the reasons mentioned, which, I am sure, would be more satisfactory to all parties.

CIRCUIT JUDGES.

The organization of new counties and an increase in the population has led to the creation of more circuit judges than are warranted by the requirements of public justice or the interests of economy. The work of the different judges is notoriously unequal. In the first district, where the population is rural, and (according to the state census) numbers only twenty-three thousand five hundred and thirty-seven, there are two judges, while in the adjoining district, which has much greater business activities, there is a population of fifty-two thousand and seventy-nine, with one judge. In the sixth district there are but two counties with only fifteen thousand nine hundred and sixty-eight inhabitants, and one judge, while in the third district there are seventy-five thousand and nineteen people, with two judges. Again, in the ninth district there are only three counties, with a population of nine thousand two hundred and forty-eight and no large town, with one circuit judge, while in the fifth district there is only one judge to a population of fifty-three thousand six hundred and thirteen, almost six times as great, and including several towns of considerable size, full of business activities, and much more exposed to criminal litigation. There is needed but one judge in the first district, with another county added, and then his work would not be equal to the work of the judges in the second and fifth districts. Two circuit judges only are needed in the fourth district, with another county added to it. The powers of the

municipal judge in Portland might be increased and broadened. Instead of fourteen, there are only ten circuit judges needed to do judicial duty, if the districts were readjusted and the labor equalized. Upon this subject I know that my recommendations are practical, feasible, and economical, but, I own, I am not confident of their adoption.

ATTORNEY-GENERAL.

The office of attorney-general is important in its relations to the public service and its abolition would be detrimental to it. The supposition that its duties are not arduous and not needed, is a serious mistake. This officer is kept almost constantly employed in advising and furnishing written opinions to the various officers, boards, and commissions, and in trying appeal cases in the supreme court. It is true that his opinion is only advisory, but that fact makes it none the less valuable, nor furnishes a reason for dispensing with it. He has administered his office with promptness, fidelity, and ability, and its continuance is required by the interests of the public service.

DISTRICT ATTORNEY.

As a matter of economy and justice, the state salary of the district attorneys ought to be abolished. These officers are paid fees, whenever they appear for the state or county, which, in some of the districts, amount to a sum far in excess of the combined salaries of all the judges of the supreme court, and no injustice would be done them in cutting off their state salary. This would compensate for the office of the attorney-general, upon whom devolve many of the duties that formerly were wholly attached to their offices. In the interests of economy, I think, the district attorneys will sanction this suggestion.

Between the appointment of a commission, and the continuing of the present number of circuit judges, and the salary of district attorneys, and the system I recommend for the supreme court, the reduction of circuit judges, and the abolition of the

salaries for district attorneys, there will be a saving to the state of \$30,000 a year, and equally as faithful and efficient service.

TRIALS.

At present our law requires a unanimous verdict of the jury in civil and criminal cases. The failure to obtain a unanimous verdict is often the cause of mistrials, which greatly increase the expenses of the courts and of litigants. It is suggested whether the public interest, as well as the interest of litigants, would not be better conserved, if the agreement of two thirds or three fourths of a jury upon a verdict should be sufficient in civil cases.

CRIMINAL COSTS.

The burden on our taxpayers under our system of taxing costs has become so grievous that some relief must be afforded them by this legislature. It is not believed that our officials are not honestly performing their duties, or that the evil complained of lies in the administration of the law, but in the law itself, and, until it shall be radically changed, there can be no effective reform in the system, or relief afforded our overburdened taxpayers. Under our laws, in all criminal prosecutions before a justice of the peace, or before the grand jury, with a few slight exceptions, where the prosecution is unsuccessful, or where, if successful, the costs cannot be made out of the defendant, which is commonly the case, all the legal costs, including officers' fees, jail fees, and fees of witnesses, are paid by the county; and to these costs must be added the costs in all misdemeanors and felony cases where there is a dismissal or *nolle prosequi*, or where, for any cause, the defendant is discharged before indictment, or after indictment and before verdict. It thus appears, except in the few cases where costs may be disallowed because of the frivolous or malicious nature of the prosecution, that the costs of criminal prosecutions are practically guaranteed by the county, with the obvious result of encouraging useless prosecutions—which is a radical fault of the system. As a matter of fact, the costs are taxed to, and paid by, the county, even in cases where

the prosecution is successful and the judgment for them is enforceable against the defendant, but, as the county can only be indemnified for its costs by the collection of such judgment through its officers, and as they, having already been paid their fees, are apt to forget its existence, the judgment is allowed to become dormant or fall into "innocuous desuetude." Another fault of our system, which is the cause of much expense, comes from multiplying hearings or trials. Before a defendant can have a trial which is to determine his guilt or innocence, he must pass through three stages of examination or trial,—*first*, there is the preliminary hearing before the justice of the peace, who, if he finds evidence of probable guilt, binds the accused over to the court; *second*, the hearing before the grand jury; and, if they find a "true bill," then comes, *third*, his final trial in the criminal court. Nothing short of a radical reform in our system of criminal costs can furnish the relief demanded: how to accomplish this result is the question. I would recommend that a joint committee of three or five persons be appointed, composed of men able and competent to examine the laws of other states, such as Georgia and some others, where important reforms have been effected, greatly decreasing the expense of costs in criminal cases, to report what changes, if any, are needed in our system, or report a bill making such changes as will furnish the desired relief.

BOARDS, COMMISSIONS, AND LEGISLATIVE APPOINTMENTS TO OFFICE.

Our scheme of government contemplates a division of powers into three great departments, known as the legislative, executive, and judicial. It is intended that these departments shall be separate and independent in the exercise of their functions, and any infraction of the principle which confines each to its own appropriate sphere of action, is inconsistent with the spirit of our institutions, and an encroachment on the prerogatives of the department affected by it. Moreover, where this division of power and responsibility is strictly maintained, no department interfering with the action of any other, but each moving in the

circle of its activity in conformity with the general design, there can be no confusion of authority, and every department will be answerable for the conduct of its own affairs. But, while these departments act independently, and exercise different functions, in subordination to the general plan, they constitute one government, whose strength and symmetry lies in the preservation intact of this division of power and responsibility. Hence, any action of one department in assuming duties that belong to another, or in transferring to some board or commission duties that belong to one of the other departments, whether sanctioned by custom or otherwise, is a usurpation which is inexcusable, and ought to be summarily condemned. This confusion of authority, too, has the tendency to divide responsibility, which, experience has proven, is inimical to good government.

At the present time there are several boards, composed of the executive, the secretary of state, and the state treasurer, and the two former with the superintendent of public instruction, who are invested with authority to appoint superintendents to the various institutions of the state, and these superintendents, under the supervision of such boards, manage these institutions and administer their affairs. These boards are known as the trustees of the asylum, of the reform school, of the deaf-mute school, of the blind school, the domestic animal commission, and others not now recalled. These boards are invested with the power of appointing the superintendents, (who cannot appoint their subordinates without the board's consent,) and of making rules and regulations for the government and management of the affairs of the institutions not inconsistent with our laws. In effect, the board administers the law regulating the management of such institutions through the superintendents, when the full responsibility of the administration of their affairs under the law ought to devolve on the superintendents, subject to such supervision by the governor as may be embraced in his constitutional duty "to take care that the laws be faithfully executed." Every officer, in discharging his duties under a law, is its administrator. Upon him ought to rest the full responsibility

of the faithful discharge of his duties, and the economic management of the institution committed to his charge. There can then be no bandying of responsibility between him and the board. The superintendent will be personally accountable for his conduct in the discharge of his trust. He will be rid of the ugly task of trying to balance his official conduct to suit the idiosyncrasies of three members of a board, which is always impossible of performance; for, it is a scriptural saying that a man cannot serve two masters; ergo, he cannot serve three. The truth is, a divided authority is inimical to economic and responsible government. Nor is there a public need of such boards, which fact, of itself, should be sufficient to demand their abolition. There is no place in the scheme of our government for their existence. The legislature has no authority to create boards and invest them with authority to appoint public officers to discharge important duties that concern state affairs. The power to appoint belongs to the executive department, or to the people, by election. The legislature has no legal right to exercise such power, much less to delegate it to a board or commission. It goes to the full extent of its powers, when it provides by law for the election of officers by the people, or their appointment by the governor, as may be deemed best, when not prescribed by the constitution, and to declare their duties and responsibility in the conduct and management of such institutions. It is on this principle that the superintendent of the penitentiary is appointed and discharges the duties of his office. He directs, manages, and superintends the affairs of the penitentiary on the same principle that other officers discharge the duties of their office. He appoints his subordinates, who are subject to his direction and authority. The responsibility of managing the institution economically and effectively, devolves upon him, subject to the supervision of the executive. What possible use, then, can there be for a board? There is none. A board is a mischievous administrative instrumentality, because its effect is to divide responsibility, destroy the symmetry of our govern-

mental system, trench on the prerogatives of the executive, and injuriously affect the management of the institutions.

But, it has been said, the object in creating these boards was to increase the salary of the governor, (although the other members of the board are allowed the same compensation)—the implication being that, to raise it directly and commensurately with the duties and responsibilities of the executive office, would be unpopular and unconstitutional. The supposition is absurd. The passing of an act to effect indirectly an increase of the salary of an officer ought to be more unpopular than the passing of an act which directly increases it. If the people will consent or submit that the increase should be effected through the agency of a board, they will not object that it should be accomplished by a direct increase of salary, which only affords him reasonable compensation for his services. Nor is the objection to an act directly increasing the salary of the governor of any constitutional weight. It is entirely within the constitutional province of the legislature to raise the salary to such sum as is just and proper in its judgment, and the best lawyers and judges—some of whom served in the convention that framed the constitution—have expressed opinions on this subject with a unanimity that could not exist if there were any doubt of the constitutional power of the legislature to do so. It is not the salaries of officers that embarrass the operation of government, or burden the people with excessive taxation. It is “jobs,” wasteful practices, lavish and unnecessary public expenditures, pillaging state contracts, useless boards and commissions, freebooting the treasury with fictitious claims and needless appropriations, that put an unjust burden upon the people, and serve to retard the growth, development, and prosperity of the state. The state is entitled to honest, efficient, and intelligent service, and no detriment comes to it, or disadvantage to its people, by awarding a high compensation for such service. But, so far as I am personally concerned, if you cannot give me a reasonable salary without continuance of these boards, then I say, abolish the boards and let the salary go. It is vastly more important that

these boards be abolished, and that an end be put to a system that affords temptation to favoritism and opportunity for the existence of abuses.

The offices of food and dairy commissioner and veterinary surgeon should be consolidated into one office under the latter, at his present salary, and the domestic animal commission should be abolished. This would secure a better service and effect a saving alone of \$2,000 a year. Nor is there any need of a railroad commission, composed of three members. One commissioner, with a clerk, is enough, if the office is of any public benefit. In any event, either abolish the commission, or cut its number down to one. There is, too, the board of equalization, which is composed of excellent men, desirous of serving the interests that were the object of its creation; but it is greatly doubted whether the board is rendering a useful service and its abolition is not desirable. Its expense is considerable, but that is a consideration for which the public receive an equivalent, if the board is successful in equalizing taxes. It seems to me that it would be better to have a board composed of three members, appointed by the executive, whose duties should be confined to equalizing the state tax between the counties, leaving the matter of taxation for county purposes wholly to the counties. A board, composed of representatives from different districts, may be swayed by influences that are disqualifying for the impartial duties of equalization, because its members are apt to feel a local pride in guarding the interests of their respective districts. At any rate, the equalization of taxes is a matter of high importance and interest, and it is for you to determine, after careful consideration, whether the present board merits a continuance or deserves extinction of official life. To avoid further enumeration in detail, I earnestly recommend that you abolish all boards, commissions, and offices that do not serve a useful public purpose, and thus cut off the unnecessary expense of their longer continuance.

Let me repeat that, while the appointment of officers by the legislature is not so objectionable, as empowering boards to exer-

cise such authority, it is nevertheless wrong in principle and of doubtful validity, though sanctioned by custom and sustained by some judicial precedents. The courts, as the cases will disclose, have sanctioned legislative appointments with reluctance, and under circumstances which furnish the explanation and justification of their decision. In the late case of *Eddy v. Kincaid*, 28 Or. 559, where the question involved was the power of the legislature to appoint railroad commissioners, Chief Justice Bean said: "we feel constrained to hold the act constitutional, although, if the question was one of first impression, the court, as at present organized, might probably hold otherwise." It was on account of the reasons and circumstances to which the chief justice alluded, and the hesitation which a judge always feels in declaring an act of the legislature unconstitutional, that the court was induced to uphold the act and thus sanction legislative appointments to office. That the court felt such appointments to be of doubtful constitutional propriety, as an original question, is emphatically announced, and it must be conclusively inferred that the court felt that all laws authorizing the legislature to exercise such function ought to be repealed. How much more objectionable, then, is the delegation of such power to a board. The truth is, the power to appoint to office, when not lodged in the people, belongs to the executive. It is a prerogative of his office, and needs no express declaration in the constitution to establish it. The legislature ought not to make any appointments, except of officers of its own body. The logical consequence to which the exercise of the power by the legislature may be carried furnishes the strongest argument for its abolition. For, if it be a legislative function, then there is no limit to the power of the legislature to select officers, or to create offices and fill them, when required for the public service, except such officers as derive their title from the constitution. Upon this theory, the legislature may absorb all power to appoint officers for the public service, or to manage the state institutions, except the few named in the constitution. Instead of appointing, as now, the railroad commissioners, the state librarian, the game warden, the food com-

missioner, etc., the legislature could extend the list by appointing superintendents of the penitentiary, the asylum, the reform school, and others, when required for the public service. Such a grant of power to the legislature was never contemplated by our constitution, and is inconsistent with its spirit and letter, and the further exercise of it ought to be stopped at once and vested where it properly belongs, either in the people or in their executive. Such a change would be of incalculable importance to the members of this legislature. Your every step would not be hounded by the persistent office seeker; much of your time would be saved for legislative service, which is your legitimate duty; vote-trading, and combinations to assist political friends or pay off political debts, would come to an end; you would find yourselves in the possession of the disposition, and the opportunity, to perform your legislative duties with fidelity and deliberation, which, I hope, would include the adoption of the reforms already suggested, and to be mentioned, which reforms, I confidently believe, when enacted into law, would be so pregnant with public benefits as would embalm the memory of this legislature in the hearts of a grateful constituency.

APPROPRIATIONS.

Bills for the appropriation of public money should be submitted to your body a sufficient length of time before the end of the session to afford ample opportunity for their scrutiny, and the exclusion of all unnecessary disbursements. The practice of delaying their introduction until the last hours of the session, when the members have no time carefully to examine the items, nor the executive to exercise his veto, without defeating needed appropriations, is thoroughly vicious, and a fraud upon the public service. In this way unnecessary appropriations are secured, lavish public expenditures are encouraged, and the interests of the people are disregarded. The conditions which confront us emphasize the necessity of rigid economy. No money should be appropriated that is not essential to the public service and the necessity for which is not clearly shown to your satisfaction.

The practice of distributing the public money to various institutions of a private character, or, at least, not under state control, nor responsible to the state for the manner of its expenditure—meritorious as may be the object of such institutions—is an inducement to multiply their number, and encourage every imaginable scheme for obtaining funds from the public treasury. Where appropriations for such purposes are permitted to pass unchallenged, there will always be the temptation to organize various enterprises, as institutions of a quasi-public character, and fasten them on the body politic, to secure appropriations for stimulating local interests, or booming speculative projects. All such appropriations are wrong in principle, and ought to be discontinued. Not a dollar of the public funds should be appropriated for the support of any institution not accountable to the state, and organized to serve the public interests. Not a dollar should be appropriated even for the support of public institutions whose existence and maintenance are essential to the public welfare, until the necessity of the appropriation asked is made plain, and its amount is clearly shown to be indispensable to the general welfare. Adopt this rule, and apply it to the purposes for which you are asked to make appropriations, and there will be no funds to use for lavish expenditures, or to support wasteful and extravagant practices; and, from the necessity of the case, economy and good business management will pervade every department of the state and its institutions.

When appropriations are limited to actual public needs, and the state's expenses are rigidly kept within the appropriations, the state is conducting its business on the same principles of economy and good judgment as govern prudent men in the management of their private affairs. It is pursuing methods which will secure good government, economically administered, as certainly as the same practices will bring prosperity and stability to private business establishments. We may affirm, then, that, when the institutions of the state and its affairs are conducted on business principles, there will be no deficiencies that

are not the result of unforeseen exigencies or mistaken judgment, no debts contracted that can be avoided, or that are not demanded for the public good, no expense permitted that is not authorized, no employment where none is needed, and all employment will be based on reasonable compensation for the services rendered.

To reach this desirable condition of affairs, there is no way so direct and efficient, as the limitation of appropriations to the actual needs shown to exist, and the denial of appropriations for deficiencies, unless caused by some unexpected emergency, or a plain showing that the amount appropriated was insufficient for actual and necessary expenses. The custom or habit of allowing deficiencies to occur, in the expectation that the legislature will, without inquiry, and as a matter of course, make appropriations to cover them, ought to receive a good, hard bump against the bedrock of legislative economy and good sense; and another custom, thought lately to be in vogue, of devising schemes to expend an appropriation when its legitimate uses would leave a surplus to lapse in the treasury, is still worse, and deserves the severest reprehension.

When the legislature shall take any effective mode to ascertain how many persons are employed in a department or institution, the salaries or wages paid its officers and employés, the nature and amount of work performed by them, the kind and quantity of food consumed, the methods of procuring supplies, the extent and variety of purchases, the expense of growing grain or stock, the cost of raising a head of cabbage or a beet, the means for economizing food, clothing, fuel, and drugs, and carefully scrutinize all matters and things connected with the support and expenditures of such department or institution, as a business man would who expected to provide funds for the same, you will then get at the bottom of their needs, and be prepared to estimate their expenses and the amount of appropriation necessary for their support and maintenance. This kind of scrutiny is always beneficial to the public service. It tends to weed out the incom-

petent or corrupt official, and reward the capable and honest. An upright official stands in no dread of a rigid scrutiny of his affairs. If any of our heads of department, or superintendents of institutions, have pursued vicious methods in doing the public business, or have been guilty of reckless expenditures, let them be exposed; but, on the other hand, if they have discharged their duties with fidelity and economy, give them the credit due a faithful public servant. I believe and assert, taken as a whole, the administration of these officers in their respective spheres of duty has been in general economical and honorable; that expenses have been in the main curtailed; that the public service in many respects has been considerably improved, and that the public interests have been steadily guarded and maintained. For them, I challenge the most searching inquiry that you may institute. I assert that they stand in no dread of you or your power to investigate the truth, and I say that they despise, as every honest man should despise, the perfunctory or "fixed" committee, constituted to gloss ugly facts and manufacture fraudulent reputations for dishonest, worthless, or incompetent officials.

CONCLUSION.

Gentlemen, as representatives of the people, it is your prerogative to enact legislation, to better our laws, to promote our growth and development, and to advance the cause of civilization and good government. It is my duty to coöperate with you in this laudable and needful work. It is likewise our joint duty to make a resolute effort to reduce expenses and lighten the burdens of taxation, to promote reforms, correct abuses, if any exist, and protect the public interests. We owe the people a conscientious performance of duty and must fulfill our obligations. We can not overestimate the responsibility of our positions. Our oaths will not rest lightly on our consciences if we neglect our duty and abuse our trust. We are brought together under circumstances that emphasize the necessity of a redemption of pledges. Animated by a high sense of duty and unselfish loyalty, let us

strive to discharge our public duties in a way that shall meet the approbation of Him who is the giver of all good, that shall maintain the best interests of the people and contribute to their happiness and advancement, and that shall add to the glory and redound to the honor of our beloved state.

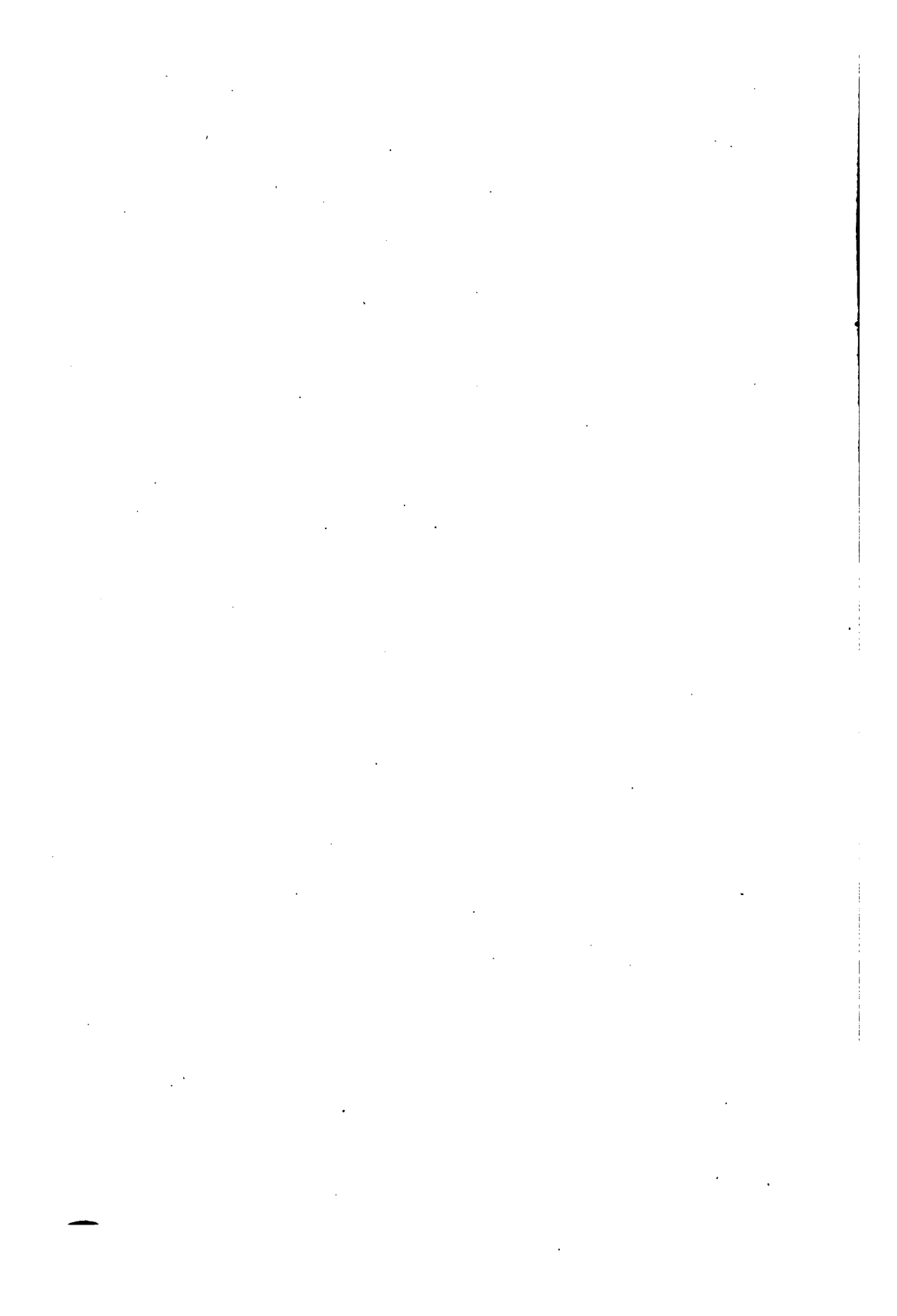
. WM. P. LORD, Governor.

1. The first of these is the fact that the

the first of these is the fact that the
the first of these is the fact that the
the first of these is the fact that the
the first of these is the fact that the
the first of these is the fact that the

the first of these is the fact that the

INDEX



INDEX.

A

AUTHORITY FOR PRINTING THIS JOURNAL.....	Page 8
--	-----------

B

BANCROFT, HON. F. A.—	
Invited to a seat within the bar.....	9
BENNETT, HON. A. S.—	
Invited to a seat within the bar.....	109
BITTNER, REV. P.—	
Opened morning session with prayer.....	69
BLACKMAN, EX-SENATOR HENRY—	
Extended the courtesies of the senate.....	230
BLUNDELL, J. E.—	
Elected doorkeeper <i>pro tem</i>	7
Elected doorkeeper.....	12
BRADSHAW, W. L.—	
Extended the courtesies of the senate.....	82
BOWERSOX, REV. J.—	
Opened session with prayer.....	16, 82, 107, 148, 161, 191, 200, 223, 264

C

CARTWRIGHT, EX-SENATOR C. M.—	
Extended the courtesies of the senate.....	161
CERTIFICATE—	
Of chief clerk.....	275
Of committee to examine, etc., the journal.....	275
Of secretary of state.....	276
CHANDLER, EX-SENATOR—	
Extended the courtesies of the senate.....	81
COMMITTEE ON CREDENTIALS—	
Appointed.....	8
Report of.....	8
COMMUNICATION—	
From secretary of state relating to furnishing codes, journals, etc.....	35
From Colonel Summers, inviting the members to military drill.....	38
From Commandant W. H. Byars, inviting members to visit soldiers' home.....	53
From Dallas, Texas, board of trade, relating to commerce.....	54
From Portland chamber of commerce, urging construction of Nicaragua canal.....	70
From temporary chief clerk of the house, relating to Benson house.....	83
From Benson house, relating to its organization, etc.....	85

COPELAND, REV. W. E.—	
Opened session with prayer.....	Page 149, 196
CROSNO, C. B.—	
Elected sergeant-at-arms <i>pro tem.</i>	7
Elected sergeant-at-arms.....	1
	2
	D
DENTON, REV. MR.—	
Opened session with prayer.....	76
	F
FARMER, REV. MR.—	
Opened session with prayer.....	48
	G
GATES, HON. H. V.—	
Extended the courtesies of the senate.....	229
GEORGE, HON. M. C.—	
Invited to a seat within the bar.....	57
GOWAN, A. W.—	
Elected president <i>pro tem.</i>	7
GRANNIS, REV. G. W.—	
Opened session with prayer.....	26, 222
	H
HATCH, EX-SENATOR FROM POLK COUNTY—	
Extended the courtesies of the senate.....	79
HOBKIRK, FRED—	
Appointed page.....	13
HOVEY, HON. A. G.—	
Extended the courtesies of the senate.....	16
HUMPHREY, H. H.—	
Elected mailing clerk <i>pro tem.</i>	8
Elected mailing clerk.....	12
	K
KANTNER, REV. DR.—	
Opened morning session with prayer.....	58
KING, HON. WILL R.—	
Nominated for president.....	10
	L
LOONEY, HON. J. B.—	
Extended the courtesies of the senate.....	135
	M
MAGNAN, REV. W. B.—	
Opened session with prayer.....	61
MASON, S. R.—	
Elected calendar clerk <i>pro tem.</i>	7
Elected calendar clerk.....	11

INDEX.

5

MATLOCK, EX-SENATOR W. F.—	<i>Page</i>
Extended the courtesies of the senate.....	153
MAXWELL, EX-SENATOR—	
Invited to a seat within the bar.....	22
MCLELLAND, PRESIDENT OF PACIFIC UNIVERSITY—	
Invited to a seat within the bar.....	196
MEMBERS OF THE SENATE.....	5
MOORE, HON. F. A., CHIEF JUSTICE—	
Administered oath to members.....	9
Administered oath to president.....	10
Administered oath to officers.....	12
MOORHEAD, S. L.—	
Elected chief clerk <i>pro tem</i>	7
Elected chief clerk.....	10
MUELLHAUPT, REV. J.—	
Opened session with prayer.....	118, 230
MYERS, HON. JEFFERSON—	
Invited to a seat within the bar.....	124
O	
OFFICERS OF THE SENATE —	
List of.....	4
OLMSTED, JUDGE M. L.—	
Invited to a seat within the bar.....	185
P	
PARSONS, REV. JOHN —	
Opened session with prayer.....	267
POORMAN, F. W.—	
Appointed page.....	18
PROTEST—	
Against voting for United States senator.....	146, 147
Against the ruling of the president of the senate, regarding senate resolution No. 19.....	148, 149, 150, 156
R	
RASMUS, WILLIAM M.—	
Elected reading clerk <i>pro tem</i>	7
Elected reading clerk.....	11
REPORT—	
Of special committee on fishing industries, as appointed by the eighteenth biennial legislative assembly.....	36
On senate bill No. 7.....	162
On senate bill No. 20.....	162
On senate bill No. 23.....	162
On senate bill No. 24.....	163
On senate bill No. 28.....	163
On senate bill No. 31.....	164
On senate bill No. 73.....	164
On senate bill No. 99.....	166

REPORT — CONTINUED.

	Page
On senate bill No. 184	166
On senate bill No. 63	167
On senate bill No. 25	167
On senate bill No. 47	168
On senate joint resolution No. 5	169
On senate bill No. 107	169
On senate bill No. 152	170
On senate bill No. 86	176
On senate bill No. 94	178
On senate bill No. 167	178
On senate bill No. 11	179
On senate bill No. 18	179
On senate bill No. 197	180
On senate bill No. 122	181
On senate bill No. 189	181
On senate bill No. 87	182
On senate bill No. 134	182
On senate bill No. 3	183
On senate concurrent resolution No. 16	183
On senate bill No. 172	198
On senate bill No. 74	201
On senate bill No. 112	201
On senate bill No. 115	202
On senate bill No. 125	202
On senate bill No. 142	202
On senate bill No. 146	203
On senate bill No. 22	204
On senate bill No. 12	204
On senate bill No. 187	205
On senate bill No. 129	206
On senate bill No. 101	207
On senate bill No. 221	208
On senate bill No. 13	214
On senate bill No. 52	214
On senate bill No. 38	215
On senate bill No. 39	215
On senate bill No. 168	216
On senate bill No. 173	216
On senate bill No. 6	216
On senate bill No. 225	217
On senate bill No. 188	217
On senate bill No. 215	217
On senate bill No. 84	217
On senate bill No. 96	217
On senate bill No. 130	217
On senate bill No. 180	217
On senate bill No. 100	218
On senate bill No. 19	219
On senate resolution No. 28	220
On senate bill No. 213	224
On senate bill No. 139	225
On senate bill No. 76	225
On senate bill No. 141	226

INDEX.

7

REPORT—CONCLUDED.

	Page
On senate bill No. 120.....	226
On senate bill No. 136.....	228
On senate bill No. 89.....	231
On senate bill No. 27.....	231
On senate bill No. 2.....	232
On senate bill No. 29.....	232
On senate bill No. 110.....	233
On senate bill No. 55.....	233
On senate bill No. 202.....	235
On senate bill No. 44.....	236
On senate bill No. 224.....	247
On senate bill No. 82.....	248
On senate resolution No. 12.....	260
On mileage and per diem of members of the nineteenth biennial session.....	262
Of special committee on fixing salaries of officers of nineteenth biennial session.....	267

BILLS—SENATE.

SENATE BILL NO. 1—

To provide a state board of equalization.....	18
Read first time.....	18
Read second time and ordered engrossed.....	58
Read third time and consideration deferred.....	196

SENATE BILL NO. 2—

To abolish railroad commission.....	18
Read first time.....	19
Read second time and referred.....	58

SENATE BILL NO. 3—

To increase duties of railroad commissioners.....	19
Read first time.....	19
Read second time and referred.....	58

SENATE BILL NO. 4—

To amend section 2826, Hill's code.....	19
Read first time.....	19
Read second time and referred.....	58

SENATE BILL NO. 5—

To define "land" and "real property".....	19
Read first time.....	19
Read second time and referred.....	58

SENATE BILL NO. 6—

To amend section 2794, general laws.....	19
Read first time.....	19
Read second time and referred.....	59

SENATE BILL NO. 7—

To amend section 149, general laws.....	19
Read first time.....	19
Read second time and referred.....	59

SENATE BILL NO. 8—

To regulate pilotage on Columbia and Willamette rivers.....	19
Read first time.....	19
Read second time and referred.....	59

SENATE BILL NO. 9—	Page
To facilitate assessments, etc.....	20
Read first time.....	20
Read second time.....	59
SENATE BILL NO. 10—	
For registration of electors.....	20
Read first time.....	20
Read second time and referred.....	59
SENATE BILL NO. 11—	
To amend section 3587, general laws.....	20
Read first time.....	20
Read second time and referred.....	60
Amended.....	179
Re-referred.....	186
SENATE BILL NO. 12—	
To incorporate Baker City.....	20
Read first time.....	20
Read second time and referred.....	60
Amended.....	204
SENATE BILL NO. 13—	
Fixing salary of district attorney in fourth judicial district.....	21
Read first time.....	21
Read second time and referred.....	60
Amended.....	214
SENATE BILL NO. 14—	
Amending sections 3587 and 3591, general laws.....	21
Read first time.....	21
Read second time and referred.....	61
SENATE BILL NO. 15—	
Amending assessment laws.....	21
Read first time.....	21
Read second time and referred.....	61
SENATE BILL NO. 16—	
Amending section 2813, general laws.....	21
Read first time.....	21
Read second time and referred.....	61
Amended.....	184
SENATE BILL NO. 17—	
To qualify corporations for appointments as guardians.....	21
Read first time.....	21
Read second time and referred.....	61
SENATE BILL NO. 18—	
Creating liens on crops.....	22
Read second time and referred.....	61
Amended.....	180
SENATE BILL NO. 19—	
Defining voters at school elections.....	22
Read first time.....	22
Read second time and referred.....	62
Amended.....	220

INDEX.

9

SENATE BILL NO. 20—	Page
Protecting materialmen, etc.	22
Read first time	22
Read second time and referred	62
Amended	162
SENATE BILL NO. 21—	
Creating county board of health.....	22
Read first time.....	22
Read second time and referred.....	62
SENATE BILL NO. 22—	
To incorporate Pendleton.....	23
Read first time.....	23
Read second time and referred.....	62
Amended	204
SENATE BILL NO. 23—	
Amending section 2890, general laws.....	23
Read first time.....	23
Read second time and referred.....	63
Amended	163
SENATE BILL NO. 24—	
Amending section 1145, general laws.....	23
Read first time.....	23
Read second time and referred.....	63
SENATE BILL NO. 25—	
Providing for selection and sale of state lands, etc.	23
Read first time.....	23
Read second time and referred.....	63
SENATE BILL NO. 26—	
Providing for assessment and collection of taxes.....	24
Read first time.....	24
Read second time and referred	64
SENATE BILL NO. 27—	
For relief of counties.....	24
Read first time.....	24
Read second time and referred.....	64
SENATE BILL NO. 28—	
Amending section 55, general laws.....	24
Read first time.....	24
Read second time and referred	64
Amended	163
SENATE BILL NO. 29—	
Dedicating ocean beach for public highway	24
Read first time.....	25
Read second time and referred.....	65
Amended	282
SENATE BILL NO. 30—	
To deduct indebtedness from assessments.....	25
Read first time.....	26
Read second time and referred.....	65

SENATE BILL NO. 31—	<i>Page</i>
Amending section 78 of general laws.....	25
Read first time.....	25
Read second time and referred.....	65
Amended.....	164
SENATE BILL NO. 32—	
Fixing salary of district attorney in second district.....	25
Read first time.....	25
Read second time and referred.....	65
SENATE BILL NO. 33—	
Amending section 583 of general laws.....	25
Read first time.....	25
Read second time and referred.....	65
SENATE BILL NO. 34—	
To cure defects in judicial sales of real property.....	25
Read first time.....	25
Read second time and referred.....	65
SENATE BILL NO. 35—	
Changing mode of payment of county clerks.....	25
Read first time.....	25
Read second time.....	65
Referred.....	66
SENATE BILL NO. 36—	
To abolish private seals.....	26
Read first time.....	26
Read second time and referred.....	66
SENATE BILL NO. 37—	
Providing for transportation of insane patients to the asylum.....	26
Read first time.....	26
Read second time and referred.....	66
SENATE BILL NO. 38—	
To establish fiscal agency in New York.....	26
Read first time.....	26
Read second time and referred.....	66
SENATE BILL NO. 39—	
Regulating conveyance of persons committed to state institutions.....	27
Read first time.....	27
Read second time and referred.....	66
SENATE BILL NO. 40—	
Amending charter of Portland.....	27
Read first time.....	27
Read second time and referred.....	74
SENATE BILL NO. 41—	
Authorizing mayors to bid in property sold for taxes.....	27
Read first time.....	27
Read second time and referred.....	75
SENATE BILL NO. 42—	
Amending section 2334, general laws.....	27
Read first time.....	27
Read second time and referred.....	75
Reported favorably.....	102

INDEX.

11

SENATE BILL NO. 43—	<i>Page</i>
Incorporating the city of Portland.....	27
Read first time.....	27
Read second time and referred.....	89
SENATE BILL NO. 44—	
To build a portage railway at the dalles.....	28
Read first time.....	28
Read second time and referred.....	90
SENATE BILL NO. 45—	
Providing manner of election of district attorneys.....	28
Read first time.....	28
Read second time and referred.....	90
SENATE BILL NO. 46—	
Regulating free transportation of baggage.....	28
Read first time.....	28
Read second time and referred.....	91
SENATE BILL NO. 47—	
Providing for election of road supervisors.....	29
Read first time.....	29
Read second time and referred.....	91
Amended.....	168
SENATE BILL NO. 48—	
Authorizing municipal corporations to dispose of real property.....	29
Read first time.....	29
Read second time and referred.....	91
SENATE BILL NO. 49—	
To facilitate assessment and collection of taxes.....	29
Read first time.....	29
Read second time and referred.....	91
SENATE BILL NO. 50—	
Amending section 2813, general laws.....	29
Read first time.....	29
Read second time and referred.....	91
SENATE BILL NO. 51—	
To facilitate collection of road taxes.....	30
Read first time.....	30
Read second time and referred.....	92
SENATE BILL NO. 52—	
Creating office of recorder in Polk county.....	30
Read first time.....	30
Read second time and referred.....	92
SENATE BILL NO. 53—	
To prevent sale of unwholesome food, etc.	30
Read first time.....	30
Read second time and referred.....	92
SENATE BILL NO. 54—	
Amending section 296, general laws.....	31
Read first time.....	31
Read second time and referred.....	92

SENATE BILL NO. 55—	Page
Empowering county courts to pay bounties on coyote scalps.....	31
Read first time.....	31
Read second time and referred.....	98
Amended.....	238
SENATE BILL NO. 56—	
To encourage use of broad-tire wagons.....	31
Read first time.....	31
Read second time and referred.....	98
SENATE BILL NO. 57—	
Amending sections 959 and 960, general laws.....	33
Read first time.....	33
Read second time and referred.....	98
SENATE BILL NO. 58—	
Authorizing the booming of sawlogs in certain rivers.....	38
Read first time.....	38
Read second time and referred.....	98
SENATE BILL NO. 59—	
Amending section 504, general laws.....	34
Read first time.....	34
Read second time and referred.....	94
SENATE BILL NO. 60—	
Repealing acts for additional judge in third district.....	34
Read first time.....	34
Read second time and referred.....	94
SENATE BILL NO. 61—	
Fixing salaries of clerk and sheriff of Josephine county.....	34
Read first time.....	34
Read second time and referred.....	94
SENATE BILL NO. 62—	
Providing for location and re-location of county seats.....	34
Read first time.....	34
Read second time and referred.....	94
SENATE BILL NO. 63—	
Amending act relating to liens on mining claims.....	38
Read first time.....	39
Read second time and referred.....	94
SENATE BILL NO. 64—	
Amending sections 1047, 1048 and 1050, general laws.....	39
Read first time.....	39
Read second time and referred.....	94
SENATE BILL NO. 65—	
To improve public highways.....	39
Read first time.....	39
Read second time and referred.....	95
SENATE BILL NO. 66—	
Relating to school and university lands.....	39
Read first time.....	39
Read second time and referred.....	95

INDEX.

13

SENATE BILL NO. 67—	<i>Page</i>
Amending act governing mode of payment of county clerks.....	39
Read first time.....	39
Read second time and referred.....	96
Amended.....	178
SENATE BILL NO. 68—	
Relating to estate of John Fenstermacher.....	39
Read first time.....	40
Read second time and referred.....	95
SENATE BILL NO. 69—	
Amending sections 337 and 407, general laws.....	40
Read first time.....	40
Read second time and referred.....	96
SENATE BILL NO. 70—	
Creating tenth judicial district.....	40
Read first time.....	40
Read second time and referred.....	96
SENATE BILL NO. 71—	
To regulate practice of medicine.....	40
Read first time.....	41
Read second time and referred.....	97
SENATE BILL NO. 72—	
Amending act creating Harney county.....	42
Read first time.....	42
Read second time and referred.....	97
SENATE BILL NO. 73—	
To regulate practice of dentistry.....	42
Read first time.....	42
Read second time and referred.....	97
Amended.....	164
SENATE BILL NO. 74—	
Amending section 3542, Hill's code.....	42
Read first time.....	42
Read second time and referred.....	96
Amended.....	201
SENATE BILL NO. 75—	
Regulating stamping of manufactures by merchants.....	42
Read first time.....	42
Read second time and referred.....	98
SENATE BILL NO. 76—	
To regulate sale of liquors.....	43
Read first time.....	43
Read second time and referred.....	98
SENATE BILL NO. 77—	
Amending act creating ninth judicial district.....	43
Read first time.....	43
Read second time and referred.....	99
SENATE BILL NO. 78—	
Regulating collection of costs in criminal actions in justices' courts.....	43
Read first time.....	43
Read second time and referred.....	99

SENATE BILL NO. 79—	Page
Amending section 1170 of Hill's code.....	43
Read first time.....	43
Read second time and referred.....	99
SENATE BILL NO. 80—	
Abolishing board of equalization.....	43
Read first time.....	43
Read second time and referred.....	99
SENATE BILL NO. 81—	
Amending sections 1073 and 1074, general laws.....	44
Read first time.....	44
Read second time and referred.....	99
SENATE BILL NO. 82—	
Amending certain acts now in force.....	44
Read first time.....	44
Read second time and referred.....	99
Amended.....	248
SENATE BILL NO. 83—	
Amending section 4141, general laws.....	44
Read first time.....	44
Read second time and referred.....	100
SENATE BILL NO. 84—	
Prohibiting manufacture of cigarettes.....	44
Read first time.....	44
Read second time and referred.....	100
SENATE BILL NO. 85—	
Amending soldiers' home acts.....	45
Read first time.....	45
Read second time and referred.....	100
SENATE BILL NO. 86—	
Relating to the payment of fines.....	47
Read first time.....	47
Read second time and referred.....	100
SENATE BILL NO. 87—	
For working of prisoners on public highways.....	47
Read first time.....	47
Read second time and referred.....	100
SENATE BILL NO. 88—	
To prevent fires from steam threshing machines.....	47
Read first time.....	47
Read second time and referred.....	101
SENATE BILL NO. 89—	
Amending section 2798, general laws.....	48
Read first time.....	48
Read second time and referred.....	100
SENATE BILL NO. 90—	
Creating Bay county.....	48
Read first time.....	48
Read second time and referred.....	111

INDEX.

15

SENATE BILL NO. 91—	Page
Amending fish laws.....	48
Read first time.....	48
Read second time and referred.....	111
SENATE BILL NO. 92—	
Regulating practice in justices' courts.....	48
Read first time.....	48
Read second time and referred.....	112
SENATE BILL NO. 93—	
Authorizing appointments of court reporters in fourth district.....	49
Read first time.....	49
Read second time and referred.....	112
SENATE BILL NO. 94—	
Authorizing Godfrey Seymour to build floodgate on Hudson slough in Douglas county.....	49
Read first time.....	49
Read second time and referred.....	112
SENATE BILL NO. 95—	
Amending sections 8113, 8114 and 8126, general laws.....	49
Read first time.....	49
Read second time and referred.....	112
SENATE BILL NO. 96—	
Placing United States flags on schoolhouses.....	50
Read first time.....	50
Read second time and referred.....	112
SENATE BILL NO. 97—	
Amending section 2467, general laws.....	50
Read first time.....	50
Read second time and referred.....	112
SENATE BILL NO. 98—	
Amending chapter XVII, title III, general laws.....	50
Read first time.....	50
Read second time and referred.....	113
SENATE BILL NO. 99—	
Regulating practice of pharmacy.....	50
Read first time.....	50
Read second time and referred.....	113
Amended.....	166
SENATE BILL NO. 100—	
To prevent corrupt practices at elections.....	50
Read first time.....	51
Read second time and referred.....	113
Amended.....	218
SENATE BILL NO. 101—	
Incorporating city of Brownsville.....	51
Read first time.....	51
Read second time and referred.....	114
SENATE BILL NO. 102—	
To prohibit use of fishtraps.....	51
Read first time.....	51
Read second time and referred.....	114

SENATE BILL NO. 103—	<i>Page</i>
Amending charter of Hillsboro.....	51
Read first time.....	51
Read second time and referred.....	114
SENATE BILL NO. 104—	
Amending section 291 of general laws.....	52
Read first time.....	52
Read second time and referred.....	114
SENATE BILL NO. 105—	
For transportation of convicts, etc.	52
Read first time.....	52
Read second time and referred.....	114
SENATE BILL NO. 106—	
Creating nonpartisan board of trustees of state insane asylum.....	52
Read first time.....	52
Read second time and referred.....	115
SENATE BILL NO. 107—	
Prescribing fees of witnesses in Marion county.....	52
Read first time.....	52
Read second time and referred.....	115
SENATE BILL NO. 108—	
Fixing compensation of assignees.....	52
Read first time.....	53
Read second time and referred.....	116
SENATE BILL NO. 109—	
Abolishing railroad commission.....	55
Read first time.....	56
Read second time and referred.....	116
SENATE BILL NO. 110—	
Exempting homesteads from judicial sale.....	56
Read first time.....	56
Read second time and referred.....	116
SENATE BILL NO. 111—	
For organization of legislative assembly.....	56
Read first time.....	56
Read second time.....	56
Laid on table and ordered printed.....	57
SENATE BILL NO. 112—	
Amending sections 3471 and 3475, general laws.....	57
Read first time.....	57
Read second time and referred.....	117
SENATE BILL NO. 113—	
Regulating driving of cattle, sheep and horses on open ranges.....	57
Read first time.....	57
Read second time and referred.....	117
SENATE BILL NO. 114—	
Regulating election of district attorneys.....	57
Read first time.....	57
Read second time and referred.....	117

INDEX.

17

SENATE BILL NO. 115—	<i>Page</i>
Requiring county clerks to certify pension vouchers free of charge.....	58
Read first time.....	58
Read second time and referred.....	117
SENATE BILL NO. 116—	
Amending section 1017, general laws.....	58
Read first time.....	58
Read second time and referred.....	117
SENATE BILL NO. 117—	
Fixing salaries of state officers.....	63
Read first time.....	64
Read second time and referred.....	117
SENATE BILL NO. 118—	
Defining terms "land" and "real property" for purpose of taxation.....	66
Read first time.....	66
Read second time and referred.....	124
SENATE BILL NO. 119—	
For a macadam road from asylum to asylum farm.....	67
Read first time.....	67
Read second time and referred.....	125
SENATE BILL NO. 120—	
To establish free public libraries.....	67
Read first time.....	67
Read second time and referred.....	125
Amended.....	236
SENATE BILL NO. 121—	
For relief of Union county.....	68
Read first time.....	68
Read second time and referred.....	125
SENATE BILL NO. 122—	
Amending section 57, general laws.....	68
Read first time.....	68
Read second time and referred.....	125
SENATE BILL NO. 123—	
Preventing floating of wood, timber, etc., onto river bottom land.....	68
Read first time.....	68
Read second time and referred.....	125
Amended.....	202
SENATE BILL NO. 124—	
To regulate taking of salmon in Rogue river.....	69
Read first time.....	69
Read second time and referred.....	125
SENATE BILL NO. 125—	
To preserve public property and records.....	69
Read first time.....	69
Read second time and referred.....	125
SENATE BILL NO. 126—	
For the formation of coöperative corporations.....	69
Read first time.....	69
Read second time and referred.....	126

SENATE BILL NO. 127—	Page
Regulating manufacture and sale of commercial fertilizers.....	72
Read first time.....	72
Read second time and referred.....	126
SENATE BILL NO. 128—	
Fixing boundary of Columbia county.....	72
Read first time.....	72
Read second time and referred.....	126
SENATE BILL NO. 129—	
For inspection of hospitals.....	72
Read first time.....	72
Read second time and referred.....	126
SENATE BILL NO. 130—	
Regulating dress of public school teachers.....	73
Read first time.....	73
Read second time and referred.....	126
SENATE BILL NO. 131—	
Amending road laws.....	73
Read first time.....	73
Read second time and referred.....	127
SENATE BILL NO. 132—	
To establish maximum freight rates.....	79
Read first time.....	79
Read second time and referred.....	127
SENATE BILL NO. 133—	
For relief of certain physicians.....	79
Read first time.....	79
Read second time and referred.....	128
SENATE BILL NO. 134—	
To prevent production of unwholesome food.....	79
Read first time.....	79
Read second time and referred.....	128
Amended.....	182
SENATE BILL NO. 135—	
Relating to forfeiture of insurance policies.....	80
Read first time.....	80
Read second time and referred.....	128
SENATE BILL NO. 136—	
Fixing salaries of county assessors, etc.....	80
Read first time.....	80
Read second time and referred.....	128
Re-referred.....	228
SENATE BILL NO. 137—	
To regulate the shoeing of horses.....	80
Read first time.....	80
Read second time and referred.....	129.
SENATE BILL NO. 138—	
To protect salmon.....	81
Read first time.....	81
Read second time and referred.....	12

INDEX.

19

SENATE BILL NO. 139—	<i>Page</i>
Amending section 2608, general laws.....	81
Read first time.....	81
Read second time and referred.....	129
Amended	225
SENATE BILL NO. 140—	
Amending sections 5 and 8, of an act of 1895.....	81
Read first time.....	81
Read second time and referred.....	130
SENATE BILL NO. 141—	
Defining qualifications of voters at school elections.....	81
Read first time.....	81
Read second time and referred.....	130
Laid on table.....	236
SENATE BILL NO. 142—	
Amending section 2330, general laws.....	81
Read first time.....	81
Read second time and referred.....	130
Amended	203
SENATE BILL NO. 143—	
Authorizing a new justice of the peace district in Coos county.....	82
Read first time.....	82
Read second time and referred.....	130
SENATE BILL NO. 144—	
Amending section 4194, Hill's code.....	83
Read first time.....	83
Read second time and referred.....	131
SENATE BILL NO. 145—	
Incorporating Warrenton.....	84
Read first time.....	84
Read second time and referred.....	132
SENATE BILL NO. 146—	
To protect hotel keepers.....	85
Read first time.....	85
Read second time and referred.....	132
Amended	203
SENATE BILL NO. 147—	
For collection of taxes, etc.....	85
Read first time.....	85
Read second time and referred.....	132
SENATE BILL NO. 148—	
Amending charter of Clatsop.....	86
Read first time.....	86
Read second time and referred.....	133
SENATE BILL NO. 149—	
Relating to fraternal corporations.....	86
Read first time.....	86
Read second time and referred.....	133

SENATE BILL NO. 150—		Page
Amending law in relation to recorders.....		87
Read first time.....		87
Read second time and referred.....		138
SENATE BILL NO. 151—		
Limiting jurisdiction of justices of the peace.....		87
Read first time.....		87
Read second time and referred.....		134
SENATE BILL NO. 152—		
Incorporating city of Eugene.....		87
Read first time.....		87
Read second time and referred.....		134
SENATE BILL NO. 153—		
Defining right of way on public roads.....		87
Read first time.....		87
Read second time and referred.....		134
SENATE BILL NO. 154—		
To protect owners of sheep, etc.....		87
Read first time.....		87
Read second time and referred.....		134
SENATE BILL NO. 155—		
Amending chapter II, title VII, general laws.....		88
Read first time.....		88
Read second time and referred.....		134
SENATE BILL NO. 156—		
Amending law of procedure in justices' courts.....		88
Read first time.....		88
Read second time and referred.....		135
SENATE BILL NO. 157—		
Amending section 2816, general laws.....		101
Read first time.....		101
Read second time and referred.....		185
SENATE BILL NO. 158—		
Fixing time of holding elections.....		103
Read first time.....		103
Read second time and referred.....		135
SENATE BILL NO. 159—		
Regulating practice of medicine.....		103
Read first time.....		103
Read second time and referred.....		136
SENATE BILL NO. 160—		
Prohibiting saloons in vicinity of soldiers' home.....		104
Read first time.....		104
Read second time and referred.....		136
SENATE BILL NO. 161—		
Authorizing attorneys to take acknowledgments.....		104
Read first time.....		104
Read second time and referred.....		136

INDEX.

21

SENATE BILL NO. 162—	Page
Relating to recording of deeds, patents, etc.	104
Read first time.....	104
Read second time and referred.....	137
SENATE BILL NO. 163—	
Amending sections 2273 and 2274, general laws.....	104
Read first time.....	104
Read second time and referred.....	137
SENATE BILL NO. 164—	
To cure defects in title.....	105
Read first time.....	105
Read second time and referred.....	137
SENATE BILL NO. 165—	
Exempting homesteads.....	105
Read first time.....	105
Read second time and referred.....	137
SENATE BILL NO. 166—	
Amending act relating to salaries of county treasurers.....	105
Read first time.....	105
Read second time and referred.....	137
SENATE BILL NO. 167—	
For improvements at soldiers' home.....	105
Read first time.....	105
Read second time and referred.....	138
SENATE BILL NO. 168—	
For relocation of county seats.....	105
Read first time.....	105
Read second time and referred.....	138
SENATE BILL NO. 169—	
Amending law relating to salaries of county officers.....	106
Read first time.....	106
Read second time and referred.....	138
SENATE BILL NO. 170—	
To facilitate collection of taxes.....	106
Read first time.....	106
Read second time and referred.....	138
SENATE BILL NO. 171—	
Relating to salaries of county judges.....	106
Read first time.....	106
Read second time and referred.....	138
SENATE BILL NO. 172—	
Relating to organization of irrigation districts.....	107
Read first time.....	107
Read second time and referred.....	139
Amended.....	198
SENATE BILL NO. 173—	
Amending section 2341, general laws.....	107
Read first time.....	107
Read second time and referred.....	139

SENATE BILL NO. 174 —	Page
Amending section 2364, general laws.....	108
Read first time.....	108
Read second time and referred.....	139
SENATE BILL NO. 175 —	
Amending section 291, general laws.....	108
Read first time.....	108
Read second time and referred.....	139
SENATE BILL NO. 176 —	
Amending section 2544, general laws.....	109
Read first time.....	109
Read second time and referred.....	139
SENATE BILL NO. 177 —	
To provide work for convicts.....	109
Read first time.....	109
Read second time and referred.....	139
SENATE BILL NO. 178 —	
To amend charter of Woodburn.....	109
Read first time.....	109
Read second time and referred.....	210
SENATE BILL NO. 179 —	
For a free ferry at Corvallis.....	110
Read first time.....	110
Read second time and referred.....	140
SENATE BILL NO. 180 —	
Enlarging power of Eugene divinity school.....	118
Read first time.....	118
Read second time and referred.....	140
SENATE BILL NO. 181 —	
Establishing attorneys' fees in promissory notes.....	118
Read first time.....	118
Read second time and referred.....	140
SENATE BILL NO. 182 —	
Fixing salaries of county officers in Jackson county.....	120
Read first time.....	120
Read second time and referred.....	140
SENATE BILL NO. 183 —	
Fixing salary of district attorney in first district.....	120
Read first time.....	120
Read second time and referred.....	140
SENATE BILL NO. 184 —	
Amending section 84 of an act of March 1, 1895.....	122
Read first time.....	122
Read second time and referred.....	141
SENATE BILL NO. 185 —	
Prescribing fees of witnesses in Jackson and Josephine counties.....	123
Read first time.....	123
Read second time and referred.....	141

INDEX.

23

SENATE BILL NO. 186—	Page
Relating to electric cables, etc.	123
Read first time	123
Read second time and referred	141
SENATE BILL NO. 187—	
Incorporating Falls City	123
Read first time	123
Read second time and referred	142
SENATE BILL NO. 188—	
Amending section 2599, general laws	123
Read first time	123
Read second time and referred	142
SENATE BILL NO. 189—	
Fixing fees of county clerk in Tillamook county	124
Read first time	124
Read second time and referred	142
Amended	181
SENATE BILL NO. 190—	
To incorporate town of Moro	158
Read first time	158
Read second time and referred	174
SENATE BILL NO. 191—	
To amend sections 7 and 14, etc., of an act to incorporate town of Long Creek, Oregon	158
Read first time	158
Read second time and referred	175
SENATE BILL NO. 192—	
To provide for ascertaining who shall be entitled to vote for county officers, etc.	159
Read first time	159
Read second time and referred	175
SENATE BILL NO. 193—	
To regulate the transportation of passengers, etc.	159
Read first time	159
SENATE BILL NO. 194—	
To promote the speedy organization of the senate and house of representatives	160
Read first time	160
Read second time and referred	175
SENATE BILL NO. 195—	
To amend section 4065, page 1723, Hill's annotated laws of Oregon	160
Read first time	160
Read second time and referred	175
SENATE BILL NO. 196—	
To define title of mining claims	160
Read first time	160
Read second time and referred	176
SENATE BILL NO. 197—	
To repeal section 342 of Hill's code	160
Read first time	160
Read second time and referred	176

SENATE BILL NO. 198—	Page
To amend sections 3353 and 3354, miscellaneous laws of Oregon.....	170
Read first time.....	170
Read second time and referred.....	187
SENATE BILL NO. 199—	
Relating to appointment of official reporters in circuit court, etc.....	170
Read first time.....	170
Read second time and referred.....	187
SENATE BILL NO. 200—	
To provide for the election, etc., of the state printer.....	170
Read first time.....	170
Read second time and referred.....	188
SENATE BILL NO. 201—	
Regulating fire insurance policies, etc.....	171
Read first time.....	171
Read second time and referred.....	188
SENATE BILL NO. 202—	
To amend section 2326, miscellaneous laws of Oregon.....	171
Read first time.....	171
Read second time and referred.....	188
SENATE BILL NO. 203—	
To incorporate the city of Roseburg.....	171
Read first time.....	171
Read second time and referred.....	188
SENATE BILL NO. 204—	
To protect the sheep and goat husbandry.....	172
Read first time.....	172
Read second time and referred.....	189
SENATE BILL NO. 205—	
For the better enforcement of judgments and decrees.....	172
Read first time.....	172
Read second time and referred.....	189
SENATE BILL NO. 206—	
To establish a state board of health.....	172
Read first time.....	172
Read second time and referred.....	189
SENATE BILL NO. 207—	
To amend an act creating the office of recorder in Umatilla county, etc.....	173
Read first time.....	173
Read second time and referred.....	190
SENATE BILL NO. 208—	
To amend section 537, etc., of the laws of Oregon.....	173
Read first time.....	173
Read second time and referred.....	190
SENATE BILL NO. 209—	
To amend section 1440, etc., of the laws of Oregon.....	173
Read first time.....	173
Read second time and referred.....	190

INDEX.

25

SENATE BILL NO. 210—	Page
To amend section 586 of the laws of Oregon.....	174
Read first time.....	174
Read second time and referred.....	190
SENATE BILL NO. 211—	
To amend section 1047 of the laws of Oregon.....	174
Read first time.....	174
Read second time and referred.....	190
SENATE BILL NO. 212—	
To define and limit homesteads, etc.....	184
Read first time.....	184
Read second time and referred.....	185
SENATE BILL NO. 213—	
Relating to Rogue river and Yakima Indian wars in 1855-56.....	185
Read first time.....	185
Read second time and referred.....	190
SENATE BILL NO. 214—	
To authorize the construction, etc., of a floodgate on South slough, Lane county, Oregon.....	185
Read first time.....	185
Read second time and referred.....	190
SENATE BILL NO. 215—	
To enable school districts to borrow money, etc.....	186
Read first time.....	186
Read second time and referred.....	191
SENATE BILL NO. 216—	
To provide for employment of clerks for the legislative assembly.....	186
Read first time.....	186
Read second time and referred.....	192
SENATE BILL NO. 217—	
To regulate the rates of charges and to tax express companies.....	186
Read first time.....	186
Read second time and referred.....	192
SENATE BILL NO. 218—	
To prevent fraud in sale of mines.....	186
Read first time.....	186
Read second time and referred.....	193
SENATE BILL NO. 219—	
Providing for reclamation, etc., of 1,000,000 acres of arid land.....	187
Read first time.....	187
Read second time and referred.....	193
SENATE BILL NO. 220—	
To regulate the rates of charges and to tax telegraph companies.....	187
Read first time.....	187
Read second time and referred.....	194
SENATE BILL NO. 221—	
Substitute for senate bill No. 68.....	194
Read second time and referred.....	194

SENATE BILL NO. 222—	Page
To amend sections 310, 313, title I of chapter III, miscellaneous laws.....	161
Read first time.....	191
Read second time and referred.....	207
SENATE BILL NO. 223—	
To provide for the dissolution of municipal corporations.....	194
Read first time.....	194
Read second time and referred.....	208
SENATE BILL NO. 224—	
To provide for the acceptance of certain lands, etc.....	194
Read first time.....	194
Read second time and referred.....	208
Amended.....	247
SENATE BILL NO. 225—	
To create office of state biologist.....	195
Read first time.....	195
Read second time and referred.....	208
SENATE BILL NO. 226—	
To provide for appointment of commissioner of commerce, etc.....	196
Read first time.....	196
Read second time and referred.....	197
SENATE BILL NO. 227—	
To incorporate Corvallis.....	197
Read first time.....	197
Read second time and referred.....	197
SENATE BILL NO. 228—	
To incorporate the town of Wallowa.....	198
Read first time.....	198
Read second time and referred.....	209
SENATE BILL NO. 229—	
To provide for supervision of forest interests, etc.....	206
Read first time.....	206
Read second time and referred.....	210
SENATE BILL NO. 230—	
Providing for location, etc., of quartz mining claims.....	206
Read first time.....	206
Read second time and referred.....	210
SENATE BILL NO. 231—	
Protecting sturgeon.....	207
Read first time.....	207
Read second time and referred.....	210
SENATE BILL NO. 232—	
To create county of Sutton, etc.....	211
Read first time.....	211
Read second time and referred.....	221
SENATE BILL NO. 233—	
Substitute for senate bill No. 225.....	217
Read first time.....	217
Read second time.....	217

INDEX.

27

SENATE BILL NO. 234—	Page
To declare unlawful and void all arrangements, trusts, etc.	222
Read first time	222
Read second time and referred	223
SENATE BILL NO. 235—	
Substitute for senate bill No. 27	231
Read first time	231
Read second time	231
SENATE BILL NO. 236—	
Substitute for senate bill No. 202	235
Read first time	235
Read second time	235
SENATE BILL NO. 237—	
Substitute for senate bill No. 44	246
Read first time	246
Read second time and referred	246
SENATE BILL NO. 238—	
To fix salaries of officers of Benton county, etc.	269
Read first time	269

RESOLUTIONS—SENATE JOINT.

SENATE JOINT RESOLUTION NO. 1—	
Amending article IV, section 32, and article V, section 19, state constitution	68
Adopted	164
SENATE JOINT RESOLUTION NO. 2—	
Proposing an amendment to constitution allowing governor to veto items in appropriation bill	78
SENATE JOINT RESOLUTION NO. 3—	
Appointing committee to investigate management of state institutions	89
Laid on the table	89
SENATE JOINT RESOLUTION NO. 4—	
Amending section 17 of article II of the constitution	110
Adopted	144
SENATE JOINT RESOLUTION NO. 5—	
For distribution of Indian war books	121
Referred to special committee	144

MEMORIALS—SENATE JOINT.

SENATE JOINT MEMORIAL NO. 1—	
Praying congress to recognize the independence of Cuba	31
Ordered printed	32
Adopted	145
SENATE JOINT MEMORIAL NO. 2—	
Urging our representatives in congress to work for the Nicaragua canal	76
Adopted	145
SENATE JOINT MEMORIAL NO. 3—	
Relating to Indian war veterans	122
Adopted	151

RESOLUTIONS—SENATE CONCURRENT.

SENATE CONCURRENT RESOLUTION NO. 1—	Page
To examine books of state treasurer.....	14
Adopted.....	14
SENATE CONCURRENT RESOLUTION NO. 2—	
To examine state penitentiary.....	14
Adopted.....	14
SENATE CONCURRENT RESOLUTION NO. 3—	
To examine books of school land board.....	14
Adopted.....	14
SENATE CONCURRENT RESOLUTION NO. 4—	
To examine books of secretary of state.....	14
Adopted.....	14
SENATE CONCURRENT RESOLUTION NO. 5—	
To investigate management of state insane asylum.....	15
Adopted.....	15
SENATE CONCURRENT RESOLUTION NO. 6—	
To investigate management of soldiers' home.....	15
Adopted.....	15
SENATE CONCURRENT RESOLUTION NO. 7—	
To investigate state university.....	15
Adopted.....	15
SENATE CONCURRENT RESOLUTION NO. 8—	
To investigate management of state reform school.....	15
Adopted.....	15
SENATE CONCURRENT RESOLUTION NO. 9—	
For a committee to investigate state printing.....	17
Adopted.....	17
SENATE CONCURRENT RESOLUTION NO. 10—	
For a joint interstate conference committee on fishing.....	18
Adopted.....	18
SENATE CONCURRENT RESOLUTION NO. 11—	
For a committee to investigate management of agricultural college.....	18
Adopted.....	18
SENATE CONCURRENT RESOLUTION NO. 12—	
Regulating the introduction of bills.....	33
Adopted.....	33
SENATE CONCURRENT RESOLUTION NO. 13—	
For a committee to draft a memorial urging congress to build the Nicaragua canal.....	33
Adopted.....	33
SENATE CONCURRENT RESOLUTION NO. 14—	
Appointing committees to examine Weston and Monmouth normal schools.....	35
Adopted.....	35
SENATE CONCURRENT RESOLUTION NO. 15—	
Authorizing secretary of state to purchase codes for use of members.....	35
Adopted.....	35
SENATE CONCURRENT RESOLUTION NO. 16—	
Asking congress to modify certain portions of Cascade forest reserve.....	41
Referred to special committee.....	151

INDEX.

29

SENATE CONCURRENT RESOLUTION NO. 17—	Page
Asking to strike out section 1, article XII, of the constitution of the state of Oregon	152
SENATE CONCURRENT RESOLUTION NO. 18—	
Asking to amend section 17 of the constitution of the state of Oregon	153
SENATE CONCURRENT RESOLUTION NO. 19—	
Asking to amend sections 1, 2, 3, 4 and 5 of the constitution	155
SENATE CONCURRENT RESOLUTION NO. 20—	
To amend the law fixing the salaries of state and county officers	161

RESOLUTIONS — SENATE.

SENATE RESOLUTION NO. 1—	
For a permanent organization	9
Adopted	9
SENATE RESOLUTION NO. 2—	
Adopting rules of this session	13
Adopted	13
Committee appointed under	30
SENATE RESOLUTION NO. 3—	
To furnish members Hill's code	13
Adopted	13
SENATE RESOLUTION NO. 4—	
Authorizing an assistant doorkeeper	13
Lost	13
SENATE RESOLUTION NO. 5—	
Inviting ministerial associations to open sessions with prayer	15
Adopted	15
SENATE RESOLUTION NO. 6—	
Authorizing secretary of state to furnish stamps to members	18
Adopted	18
SENATE RESOLUTION NO. 7—	
To regulate temperature of senate	18
Adopted	18
SENATE RESOLUTION NO. 8—	
Authorizing sergeant-at-arms to furnish three newspapers to each senator	29
Adopted	29
SENATE RESOLUTION NO. 9—	
Authorizing ways and means committee to present appropriation bill	33
Adopted	33
SENATE RESOLUTION NO. 10—	
Appointing committee to investigate deaf-mute and blind schools	36
Adopted	36
SENATE RESOLUTION NO. 11—	
Relating to organization of house	38
Adopted	38
SENATE RESOLUTION NO. 12—	
Appointing committee to investigate books of state librarian	38
Adopted	38
Committee appointed under	47

SENATE RESOLUTION NO. 13—	Page
Requesting opinion of attorney-general as to power of legislative assembly to change salaries.....	71
Reported unfavorably.....	102
SENATE RESOLUTION NO. 14—	
Requesting the secretary of state to turn over senate joint resolution No. 7 of the eighteenth session.....	71
SENATE RESOLUTION NO. 15—	
Relating to committee clerk hire.....	84
SENATE RESOLUTION NO. 16—	
Relating to senate calendar.....	108
Lost.....	108
SENATE RESOLUTION NO. 17—	
Relating to senate rules.....	119
Adopted.....	144
SENATE RESOLUTION NO. 18—	
Defining number of copies of bills, etc., to be printed.....	182
SENATE RESOLUTION NO. 19—	
Relating to election of United States senator.....	145
Not in order.....	145
SENATE RESOLUTION NO. 20—	
To dispense with clerks of standing committees.....	177
SENATE RESOLUTION NO. 21—	
Authorizing committee on commerce and navigation to inspect portage railway...	198
SENATE RESOLUTION NO. 22—	
Discharging clerks of standing committees.....	211
SENATE RESOLUTION NO. 23—	
Fixing salaries of clerks of standing committees.....	213
Amended.....	221
SENATE RESOLUTION NO. 24—	
Appointing committee to examine and correct journal.....	224
SENATE RESOLUTION NO. 25—	
To examine and correct journal.....	228
SENATE RESOLUTION NO. 26—	
Fixing salaries of pages.....	264
Laid on table.....	264
SENATE RESOLUTION NO. 27—	
Appointing a committee to fix compensation of clerks of standing committees.....	264
SENATE RESOLUTION NO. 28—	
Appointing day for adjournment of senate.....	265
SENATE RESOLUTION NO. 30—	
Dissolving the senate.....	274

PETITIONS—SENATE.

SENATE PETITION NO. 1—	
From heirs of John Fenstermacher, praying that certain property escheated to the state be returned.....	68

INDEX.

31

SENATE PETITION NO. 2—	Page
Praying for a cigarette law.....	70
SENATE PETITION NO. 3—	
Praying for a cigarette law.....	70
SENATE PETITION NO. 4—	
Praying for a cigarette law.....	71
SENATE PETITION NO. 5—	
Praying for a cigarette law.....	72
SENATE PETITION NO. 6—	
From citizens of Columbia county, asking a change in the boundary line of said county.....	73
SENATE PETITION NO. 7—	
Praying for a cigarette law.....	77
SENATE PETITION NO. 8—	
Praying for a cigarette law.....	77
SENATE PETITION NO. 9—	
Praying for the enactment of a law for the deduction of indebtedness from assessments.....	77
SENATE PETITION NO. 10—	
Praying for prohibition of saloons in Eugene, Oregon.....	102
SENATE PETITION NO. 11—	
Praying for a cigarette law.....	111
SENATE PETITION NO. 12—	
Praying for a cigarette law.....	111
SENATE PETITION NO. 13—	
Praying that Coos county be not divided.....	122
SENATE PETITION NO. 14—	
Praying for a law to reduce salaries of Jackson county officers.....	151
SENATE PETITION NO. 15—	
Praying for a cigarette law.....	152
SENATE PETITION NO. 16—	
Praying for a cigarette law.....	152
SENATE PETITION NO. 17—	
Praying for a registration law.....	153
SENATE PETITION NO. 18—	
Praying for repeal of railroad commission, etc.....	154
SENATE PETITION NO. 19—	
Praying for an amendment to section 6 of senate bill No. 213.....	157
SENATE PETITION NO. 20—	
Praying for a cigarette law.....	227
SENATE PETITION NO. 21—	
Praying for a cigarette law.....	228
SENATE PETITION NO. 22—	
Praying for the enactment of a law enabling women to practice midwifery, etc.....	230